

By Mr. BARCLAY: A bill (H. R. 11780) granting an increase of pension to Annie E. McDonald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11781) granting an increase of pension to Fannie M. Lorain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11782) granting a pension to Cornelia P. Dowler—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 11783) granting an increase of pension to Lewis H. Soule—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 11784) granting an increase of pension to Alonzo C. Grout—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 11785) granting an increase of pension to William C. Thomas—to the Committee on Invalid Pensions.

By Mr. WANGER: A bill (H. R. 11786) granting an increase of pension to Morris Tyson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FOCHT: Petition of camp of the Patriotic Order of the Sons of America, of McAllisterville, Pa., favoring abrogation of the Russian extradition treaty—to the Committee on Foreign Affairs.

By Mr. GRONNA: Petitions of business men of Fessenden and Balfour, N. Dak., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. HANNA: Petition of citizens of New Rockford, N. Dak., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. OLDFIELD: Paper to accompany bill for relief of Henry B. Combs—to the Committee on Invalid Pensions.

By Mr. SULZER: Petitions of the Peck, Stowe & Wilcox Company and the Nassau Bank of New York, against corporation amendment to H. R. 1438—to the Committee on Ways and Means.

SENATE.

FRIDAY, July 23, 1909.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The Journal of the proceedings of Tuesday last was read and approved.

YAKIMA INDIAN RESERVATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting an estimate of appropriation of \$25,000 for the completion, classification, and appraisement of the lands of the Yakima Indian Reservation, etc. (S. Doc. No. 135), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PROTECTION OF INDUSTRIAL PROPERTY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State submitting an estimate of appropriation of \$15,000 for defraying the expenses of the next meeting of the International Union for the Protection of Industrial Property to be held at Washington, D. C., in May, 1910 (S. Doc. No. 136), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

LAWS OF NEW MEXICO.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a copy of the laws of the council and house journals of the thirty-eighth legislative assembly of the Territory of New Mexico, 1909, which, with the accompanying documents, was referred to the Committee on Territories.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a bill (H. R. 11570) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1909, and for other purposes, in which it requested the concurrence of the Senate.

ADJOURNMENT TO MONDAY.

Mr. KEAN. Mr. President, I ask unanimous consent, preliminary to the motion I am about to make, to modify the

unanimous-consent agreement which provides that the Senate shall adjourn for three days at a time until the conference report is ready. I am about to move that when the Senate adjourns to-day it be to meet on Monday next. I ask unanimous consent that the unanimous-consent agreement be modified so that that motion may be made.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New Jersey?

Mr. CULBERSON. Let the request be stated again.

The VICE-PRESIDENT. It is that the unanimous-consent agreement be modified so that an adjournment may be taken from to-day until Monday rather than until Tuesday.

Mr. CULBERSON. Is there any special reason that necessitates a session on Monday rather than Tuesday, I will ask the Senator from New Jersey?

Mr. KEAN. I think there is, I will say to the Senator from Texas.

Mr. CULBERSON. We shall probably have the report of the conference committee then?

Mr. KEAN. I so understand.

The VICE-PRESIDENT. The Chair hears no objection, and the order is so modified.

Mr. KEAN. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

Mr. LODGE. Mr. President, I do not think we have the power to modify the unanimous-consent agreement, but I think the unanimous-consent agreement very clearly is not modified by the request of the Senator from New Jersey. The unanimous-consent agreement provides that the Senate shall adjourn for three days at a time until the conference report is ready. If the conference report were ready at this moment we could adjourn until to-morrow. If it is likely to be ready on Monday we can adjourn until Monday. I merely wanted to say this, because I object very strongly to modifying the unanimous-consent agreement. I do not think it can be done.

Mr. KEAN. Personally, I agree with the Senator from Massachusetts, but I thought I ought to make the statement before I made a motion to adjourn until Monday.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Good Roads Committee of New York City, N. Y., praying that crude asphalt be placed on the list of articles to be admitted into the United States free of duty, which was referred to the Committee on Finance.

He also presented resolutions adopted by the International Longshoremen's Association at Galveston, Tex., favoring the construction of a channel 26 feet in depth from Buffalo to Duluth, which were referred to the Committee on Commerce.

He also presented a petition of the Retail Cigar and Tobacco Dealers' Association of Philadelphia, Pa., praying for the retention of the sections incorporated in the proposed tariff bill prohibiting the use of coupons, etc., in the tobacco trade, which was referred to the Committee on Finance.

Mr. DEPEW presented a petition of Amersfort Council, No. 129, Junior Order United American Mechanics, of Brooklyn, N. Y., praying for the adoption of the so-called "Overman amendment" to the pending tariff bill increasing the capitation tax of immigrants from \$4 to \$10, which was ordered to lie on the table.

He also presented a memorial of the Clothiers' Exchange of Rochester, N. Y., remonstrating against the adoption of Schedule K, known as the "woolen schedule," to the pending tariff bill, which was ordered to lie on the table.

He also presented the memorial of George H. Gray, of Brooklyn, N. Y., remonstrating against the adoption of the proposed tax on corporations, which was ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of Syracuse, N. Y., remonstrating against the adoption of the proposed amendment to the pending tariff bill providing for an excise tax of 2 per cent upon the net incomes of certain classes of corporations, which was ordered to lie on the table.

Mr. OLIVER presented a petition of Meridian Sun Council, No. 542, Junior Order United American Mechanics, of Tidal, Pa., praying for the enactment of legislation to prohibit the immigration of all Asiatics into the United States except merchants, students, and travelers, which was referred to the Committee on Immigration.

Mr. DICK. I present a telegram, in the nature of a memorial, from the Chamber of Commerce of Youngstown, Ohio, remonstrating against the admission of iron ore free of duty. I ask that the telegram be read and referred to the Committee on Finance.

There being no objection, the telegram was read and referred to the Committee on Finance, as follows:

[Telegram.]

HON. CHARLES DICK,
Washington, D. C.:

YOUNGSTOWN, OHIO.

The Youngstown Chamber of Commerce earnestly protests against the admission of iron ore free of duty. We strongly urge the Senate rate, which will bring large and increasing revenues to the Government and incidentally protect our great and growing iron and steel industries.
THE YOUNGSTOWN CHAMBER OF COMMERCE,
By J. G. BUTLER, Jr., President,
C. W. GILDEN, Secretary.

Mr. DICK. I ask that a number of these telegrams received by me against the admission of iron ore free of duty be printed in the RECORD.

The VICE-PRESIDENT. Without objection, it will be so ordered.

The telegrams are as follows:

HON. CHARLES DICK,
Washington, D. C.:

YOUNGSTOWN, OHIO, July 20, 1909.

We protest against the admission of iron ore free of duty as detrimental to our interest and to the government revenue.
BRIER HILL IRON AND COAL COMPANY.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
United States Senate:

Rate of less than 25 cents per ton on iron ore would be injurious to all Lake Superior iron-ore interests. We favor rate proposed by Senate Finance Committee. Kindly give same your support.
CASTLE MINING COMPANY,
D. Z. NORTON, Treasurer.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

Understand there is some danger of less rate being established on iron ore than that recommended by Finance Committee of Senate. We strongly oppose any reduction from the 25-cent rate. Trust you will use all the influence you have to uphold the rate proposed by Senate.

OGLEBAY NORTON & Co.

CINCINNATI, OHIO, July 20, 1909.

Senator CHARLES DICK,
Washington, D. C.:

We do not think it fair to the central west to admit ore free or put scrap iron less than pig iron. We do not want our business transferred to eastern seaboard; besides, pig iron sells now about same price east of Allegheny Mountains as west. We favor Senate bill, which we regard as fair.

HANGING ROCK IRON COMPANY.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
Washington, D. C.:

We wish to enter our protest against putting iron ore on the free list. The reduction from 40 cents per ton to 25 cents per ton will amply carry out the promises of the Republican party platform, and miners and mine labor are entitled to protection under that platform.

FRANK BILLINGS.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

Any reduction from 25-cent rate on iron ore, proposed by Senate committee, would be disastrous to our interests. Kindly give Senate rate your best support.

BRISTOL MINING COMPANY,
L. B. MILLER, Vice-President.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

We are strongly in favor of a rate of 25 cents per ton on iron ore. We hope that you will give this your active support.

RESERVE MINING CO.,
S. K. HINE, President.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

The iron-ore and contingent interests will best be served by a rate of not less than 25 cents per ton on iron ore. Please support this rate.

MONTREAL MINING CO.,
J. H. WADE, President.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

It would be disastrous to make any further reduction on iron ore than already proposed by Senate Finance Committee. Hope you will strongly oppose proposals for further reduction.

FT. HENRY MINING CO.,
D. Z. NORTON, Treasurer.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

We are strongly opposed to any reduction from the rate proposed on iron ore by Senate Finance Committee. Please do all you can to uphold the 25-cent rate.

BRULE MINING CO.,
D. T. CROXTON, President.

CLEVELAND, OHIO, July 20, 1909.

Senator CHARLES DICK,
Washington, D. C.:

Trust you will protest vigorously against free iron ore and favor Senate bill. It would be unjust and inconsistent with the protective principle to make ore free.

THE CLEVELAND CLIFFS IRON CO.

CLEVELAND, OHIO, July 20, 1909.

Senator CHARLES DICK,
Washington, D. C.:

Free iron ore would be decidedly unfair to an important constituent industry of the iron and steel trade and inconsistent with the principle of protection. The Senate bill lowered iron ore sufficiently to comply with Republican party platform. Trust you will protest vigorously.

IRON CLIFFS CO.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

We strongly favor 25-cent rate of duty on iron ore. Please oppose any reduction from the Finance Committee rate.

COMMONWEALTH IRON CO.,
E. W. OGLEBAY, President.

CLEVELAND, OHIO, July 19-20, 1909.

Senator CHARLES DICK,
Washington, D. C.:

Regret to hear renewed probability reducing iron-ore tariff below 25 cents. This would be a great injustice and a hardship. I hope you will strongly protest against it.

WM. G. MATHER, President.

COLUMBUS, OHIO, July 21, 1909.

HON. CHARLES DICK,
Washington, D. C.:

We earnestly suggest that the Senate bill rate on iron ore be given your most careful consideration. We believe that the admission of this commodity free will work an unwarranted hardship upon the iron and steel manufacturers of this section.

COLUMBUS IRON AND STEEL COMPANY.

COLUMBUS, OHIO, July 21, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

We recommend that a duty of not less than 25 cents per ton be placed on iron ore, and earnestly urge your cooperation toward this end.

COLUMBUS COAL AND COKE COMPANY.

COLUMBUS, OHIO, July 21, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

The undersigned operators of native Ohio iron-ore mines convinced that admission of iron ore free of duty will work irreparable damage to their business, most earnestly protest against the adoption of a less rate than that mentioned in the Senate bill.

SOUTHERN OHIO PORTLAND CEMENT COMPANY.

CLEVELAND, OHIO, July 20, 1909.

HON. CHARLES DICK,
Washington, D. C.:

We wish to enter our protest against putting iron ore on the free list. The reduction from 40 cents per ton to 25 cents per ton will amply carry out the promise of the Republican party platform, and miners and mine labor are entitled to protection under that platform.

THE TOD STAMBAUGH COMPANY.

NEW YORK, N. Y.

Senator CHARLES DICK,
Washington, D. C.:

We are largely interested in the development and production of iron ore in northern and central New York State and have large investments which will be seriously affected if iron ore is put on the free list. Ore has already had a reduction of 37½ per cent from the Dingley rates, and we strongly urge that Senate rate of 25 cents per ton be retained.

LACKAWANNA STEEL COMPANY,
E. A. S. CLARKE, President.

Mr. DICK. I also request that a letter from ex-Governor Harris, a representative farmer of my State, be read and referred to the Committee on Finance.

There being no objection, the letter was read and referred to the Committee on Finance, as follows:

EATON, OHIO, July 19, 1909.

HON. CHARLES DICK,
United States Senate, Washington, D. C.:

SIR: The farmers of Ohio are not in favor of free raw material; especially is this true in regard to wool and hides. These articles are finished products so far as the farmers are concerned, and they sincerely believe they are entitled to protection. They are very much in earnest in regard to these items and believe they are entitled to a square deal.

Sincerely hoping that their wish will be granted in the matter, I am,
Very truly, yours,

A. L. HARRIS.

CATALOGUE OF THE SENATE LIBRARY.

Mr. SMOOT, for the Committee on Printing, reported the following order, which was considered by unanimous consent and agreed to:

Ordered, That 150 copies of the Catalogue of the Senate Library be printed and bound in cloth, and that the usual number be not printed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FRYE:

A bill (S. 2955) to construct and place a light-ship near Monhegan Island, entrance to Penobscot Bay, Maine; to the Committee on Commerce.

By Mr. McCUMBER:

A bill (S. 2956) granting an increase of pension to John A. Farmer;

A bill (S. 2957) granting an increase of pension to John Charles;

A bill (S. 2958) granting an increase of pension to Peter Hahncke;

A bill (S. 2959) granting an increase of pension to Samuel W. Townsend;

A bill (S. 2960) granting an increase of pension to William H. Strehlow;

A bill (S. 2961) granting an increase of pension to Matthew M. Salisbury; and

A bill (S. 2962) granting an increase of pension to Evelyn Dutton; to the Committee on Pensions.

By Mr. BOURNE:

A bill (S. 2963) granting an increase of pension to Isaac N. Waldrip (with accompanying paper); to the Committee on Pensions.

By Mr. DEPEW:

A bill (S. 2964) granting an increase of pension to Sylvester Hill; to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 2965) to amend an act entitled "An act for the protection of the lives of miners in the Territories," and for other purposes; to the Committee on Mines and Mining.

A bill (S. 2966) to modify and amend the mining laws of the United States in relation to the Territory of Alaska, and for other purposes; to the Committee on Territories.

A bill (S. 2967) to provide for the purchase of a site and the erection of a public building thereon at Juneau, in the Territory of Alaska; to the Committee on Public Buildings and Grounds.

Mr. BEVERIDGE. I think the custom has been, in the case of bills of that kind, to refer them to the Committee on Territories. We have always had jurisdiction of everything of that kind.

Mr. PERKINS. Very well.

The VICE-PRESIDENT. The Chair, without objection, will change the reference to the Committee on Territories, although the Chair is informed that heretofore bills such as this have usually been referred to the Committee on Public Buildings and Grounds. Waiving that, the Chair will refer the bill to the Committee on Territories.

Mr. BEVERIDGE. Without making any quarrel with the Chair's sources of information, I advise the Chair otherwise.

The VICE-PRESIDENT. The bill will be referred to the Committee on Territories.

By Mr. PERKINS:

A bill (S. 2968) to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes; and

A bill (S. 2969) to create, establish, and enforce a miner's labor lien in the Territory of Alaska, and for other purposes; to the Committee on Territories.

By Mr. SUTHERLAND:

A bill (S. 2970) granting an increase of pension to Thomas Topping; to the Committee on Pensions.

By Mr. BROWN:

A bill (S. 2971) granting an increase of pension to David A. Cole (with accompanying paper); and

A bill (S. 2972) granting an increase of pension to Charles J. Jenner (with accompanying paper); to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 2973) granting an increase of pension to Augustus Parish; to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 2974) for the relief of the legal representative of James Taylor, deceased; to the Committee on Claims.

A bill (S. 2975) granting a pension to George Rodney Burt (with accompanying papers);

A bill (S. 2976) granting a pension to Katherine E. Kemble (with accompanying paper); and

A bill (S. 2977) granting a pension to Sarah E. Hood (with accompanying paper); to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 2978) for the relief of Charles W. Johnston, administrator of Lydia Johnston; and

A bill (S. 2979) for the relief of heirs or estate of William R. Tatum, deceased; to the Committee on Claims.

By Mr. CARTER:

A bill (S. 2980) to provide for the purchase of a site and the erection of a public building thereon at Bozeman, in the State of Montana; and

A bill (S. 2981) to provide for the erection of a public building at Livingston, in the State of Montana; to the Committee on Public Buildings and Grounds.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. HEYBURN submitted an amendment authorizing the Secretary of the Senate and the Clerk of the House of Representatives to pay the officers and employees of the Senate and the House a sum equal to one month's pay, etc., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 11570), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. McCUMBER submitted an amendment proposing to appropriate \$1,659.23 to enable the Secretary of the Treasury to pay the Minneapolis and Sault Ste. Marie Railroad Company for carrying the mail during the years 1906 and 1907, etc., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 11570), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate \$1,800 for pay of Indian agent at Fort Berthold Agency, N. Dak., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 11570), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment authorizing the Secretary of the Senate and the Clerk of the House of Representatives to pay the officers and employees of the Senate and the House a sum equal to one month's pay, etc., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 11570), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. DEPEW submitted an amendment proposing to appropriate \$205,614.37 to pay the judgment of the Court of Claims in the cause of J. M. Ceballos & Co. v. United States, etc., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 11570), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. JONES submitted an amendment proposing to appropriate \$25,000 to enable the Secretary of the Interior to complete the classification and appraisal of the lands of the Yakima Indian Reservation in Washington, etc., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 11570), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CLAPP (for Mr. CURTIS) submitted an amendment proposing to appropriate \$5,000 to authorize the Secretary of the Interior to cause the enrollment of the Winnebago Indians to be made as provided by law, etc., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 11570), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also (for Mr. CURTIS) submitted an amendment proposing to appropriate \$25,000 to enable the Secretary of the Interior to complete the classification and appraisal of the lands of the Yakima Indian Reservation in Washington, etc., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 11570), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

Mr. CARTER submitted an amendment authorizing the Secretary of the Senate and the Clerk of the House of Representatives to pay the officers and employees of the Senate and the House a sum equal to one month's pay, etc., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 11570), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate and ordered to be printed.

JUVENILE COURT OF THE DISTRICT OF COLUMBIA.

Mr. CARTER submitted an amendment intended to be proposed by him to the urgent deficiency appropriation bill (H. R.

11570), which was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

Insert at the end of the first paragraph relating to the District of Columbia:

"That the act approved March 23, 1906, making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances, be, and the same is hereby, amended by adding thereto section 4, as hereinafter provided:

"Sec. 4. Jurisdiction is hereby conferred upon the juvenile court, concurrently with the criminal court, to hear and determine all cases arising under this act."

Mr. CARTER. I ask unanimous consent that an article from the Washington Star and likewise a letter from the district attorney of the District to the Attorney-General on the subject-matter contained in the amendment be printed in the RECORD.

The VICE-PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

THE JUVENILE COURT.

[From the Washington Star, July 21, 1909.]

It is unfortunate that an opportunity does not offer for the immediate amendment of the law creating the juvenile court in this District to cure the defect discovered by Justice Stafford in his ruling upon the West case. According to his decision, the juvenile court has no jurisdiction over the case of a person accused of nonsupport; consequently, unless Judge Stafford's decision is overruled by the court of appeals, the juvenile court will be compelled to abandon a work which has proved of the greatest value. Under the juvenile-court practice nonsupport cases have been tried quietly and effectively. Delinquent husbands have been placed on parole and warned that they are given a chance on condition of improvement in their habits or their relations toward their families. They are required to report from time to time to the police officers at the station houses, who become the agents for the payment of money for the support of wives and children. Judge De Lacy, in a letter to Chairman SMITH, of the House District Committee, states that at the present time fully \$1,000 is paid weekly for the maintenance of families under this system, money that would be utterly lost to good uses under the old method of punishing for nonsupport, and probably under the prospective method of criminal-court treatment in accordance with the Stafford decision.

Chairman SMITH's amendment, which he has unfortunately been unable to press to conclusion in the House, proposes to restore to the juvenile court the jurisdiction over such cases which had been generally assumed as belonging to it under the terms of the act of establishment. While it is possible that the court of appeals may reverse the Stafford decision, the uncertainty of such a conclusion warrants the adoption of the surer method of legislative amendment. The United States district attorney concurs in the movement to secure the restoration of this jurisdiction, pointing out the peculiar adaptation of the juvenile-court machinery to the handling of this class of cases and at the same time noting the fact that for a considerable portion of each year the criminal court, to which jurisdiction is transferred by the Stafford decision, has but a single judge available for the trial of all classes of cases, and delays are consequently inevitable. In the case of a delinquent husband promptness of remedy is necessary to prevent suffering.

In view of the excellent record scored by the juvenile court in handling the nonsupport evil on the preventive plan, this jurisdiction should surely be restored with the least possible delay.

JUNE 25, 1909.

The ATTORNEY-GENERAL,
Department of Justice, Washington, D. C.

SIR: I respectfully recommend that an effort be made to obtain from Congress, at the earliest possible date, an act amending the act of March 23, 1906, making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance, by any person, of his wife or of his or her minor children in destitute and necessitous circumstances, so as to confer upon the juvenile court (created by the act of March 19, 1906) jurisdiction to hear and determine cases under this act, and I inclose herewith a form for such a proposed bill.

This amendment is desired on account of two recent decisions of the supreme court of the District of Columbia, one in the case of United States v. Leo S. West, at Law, No. 51481, which was a case of a writ of certiorari issued to the juvenile court to determine whether or not the juvenile court has jurisdiction over a case involving the desertion by a husband of his wife, where there were no children. This office, together with the corporation counsel's office of the District of Columbia, appeared on behalf of the United States, and argued that the act of March 23, 1906, under which this prosecution originated in the juvenile court, conferred jurisdiction upon the juvenile court, because it was an act in pari materia with the class of cases which had already been intrusted to the juvenile court by the act of March 19, 1906. The supreme court of the District of Columbia, acting through the Hon. Wendell P. Stafford, decided that the juvenile court had no jurisdiction of a case in which a wife was deserted by her husband where there were no children, under this act of March 23, 1906.

There was another case argued and submitted in the supreme court of the District of Columbia, on a petition for a writ of habeas corpus. This is the case of Otto Linaweaver, habeas corpus No. 488. The petition was filed to release Otto Linaweaver from the workhouse of the District of Columbia, and in the petition it was alleged that the warrant of commitment of the juvenile court, under which the said Linaweaver was committed, was null and void. Said Linaweaver was serving the sentence in the workhouse of the District of Columbia for failure to support his wife and minor child, under the age of 16 years, to wit, of the age of 1 year, as provided in the act of March 23, 1906. Chief Justice Clabaugh has announced in this case that his opinion will follow the decision of Judge Stafford in the case just cited of Leo S. West, and that he will discharge Otto Linaweaver from the custody of the superintendent of the workhouse, on the ground that the action of the juvenile court was without authority.

These two decisions strip the juvenile court of jurisdiction under the act of March 23, 1906. I have applied for a special appeal to the court of appeals of the District of Columbia from the order in the case of Leo S. West, and as soon as Chief Justice Clabaugh has signed an

order in the case of Otto Linaweaver I will appeal also from his decision in that case.

It seems to me almost self-evident that Congress intended that the juvenile court should have jurisdiction over this class of offenses provided for in the act of March 23, 1906. The machinery provided for by Congress for the juvenile court is one peculiarly adapted for handling this class of cases, and there is now collected and disbursed in the juvenile court over \$1,000 a week from delinquent husbands and fathers. It would be a most unfortunate occurrence were this court to be deprived of that class of cases, which it has handled most satisfactorily up to the present time.

Respectfully,

DANIEL W. BAKER,
United States Attorney, District of Columbia.

LAND WARRANTS TO DELAWARE INDIANS.

Mr. CLARK of Wyoming. I present a paper signed by Richard C. Adams and representing that he is a Delaware Indian, a citizen of the United States and of the Cherokee Nation, relative to the granting of land warrants as bounties to the Delaware Indians. I move that the paper be printed as a document (S. Doc. No. 134) and referred to the Committee on Indian Affairs.

The motion was agreed to.

COOPERATION IN AGRICULTURE.

Mr. CLAPP. I present a paper read before the Southern States Association of Agriculture and other agricultural workers at Columbia, S. C., October, 1907, by Hon. Willet M. Hays, Assistant Secretary of Agriculture, on "Cooperation in Agriculture." I ask that the paper be referred to the Committee on Printing, with a view to having it printed as a document.

The VICE-PRESIDENT. Without objection, it will be so referred.

THE TARIFF.

Mr. CULBERSON. Mr. President, I ask the indulgence of the Senate a moment to proffer a request.

An impression seems to have been created in some quarters that, in their action on the tariff bill, which is now in conference, the Democrats of the Senate have commonly and seriously divided among themselves and have often voted with the protectionist majority. How unfounded this is, when the whole subject is considered, is fully and clearly disclosed by a statement which I will present without reading, taken from the CONGRESSIONAL RECORD, of the votes cast on the more important amendments which were proposed and on the final passage of the bill.

With the exception of the votes on iron ore, coal, lumber, and hides, the Democratic vote was practically a unit, and on hides it was virtually a unit when coupled with the proposition that leather, boots, and shoes should also be placed on the free list. On the income-tax amendment to the bill the Democratic vote was unanimous, and on oil, tea and coffee, print paper and wood pulp it was substantially so. Still more significant and important, on all subjects of the bill which particularly and more directly affect the consuming masses and the cost of living, such as crockery, cutlery, glassware, sugar, household goods generally, agricultural implements, blankets, flannels and hats, leather, boots and shoes, iron and steel and their products, including cotton ties, cotton manufactures, wool and manufactures of wool, in fact, on all articles affected by the tariff which enter into the daily needs of the people, the Democratic vote was in effect unanimous and was for much lower duties than those which were adopted.

It was upon Democratic initiative, moreover, that sulphate of ammonia, Paris green and London purple, oleostearin, and cotton bagging were placed on the free list in the Senate bill, which are the principal benefits to farmers and fruit growers in the bill, and it was also due to Democratic initiative that the tax on tea and coffee was stricken from the maximum provision of the Senate measure.

With this general explanation of its scope and effect, I ask that the statement to which I have referred may be inserted in the RECORD without reading as a part of my remarks.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none.

The matter referred to is as follows:

Votes on amendments to the bill (H. R. 1438) to provide revenue, etc., reported to the Senate from the Committee on Finance April 12, 1909.

MAY 7.

Paragraph 179. Lead-bearing ores of all kinds, 1½ cents per pound on the lead contained therein. (Committee amendment.)

On which the following vote was had:

Yeas 53 (1 Democrat), nays 19 (all Democrats), not voting 19.

So the committee amendment was agreed to.

MAY 10.

Paragraph 180. Lead dross, lead bullion, etc., 2½ cents per pound; lead in sheets, pipe, etc., 2½ cents per pound.

Mr. CUMMINS moved to amend the amendment of the committee by striking out the words "two and one-eighth" and insert "one and seven-eighths;" so as to read: "1½ cents per pound."

On which the following vote was had:
Yeas 35 (10 Republicans), nays 44 (1 Democrat), not voting 12.
Mr. BEVERIDGE moved to amend the paragraph (180) by striking out the committee amendment and inserting the words "All the foregoing, 2 cents per pound."

On which the following vote was had:
Yeas 37 (11 Republicans), nays 45 (all Republicans), not voting 9.
So Mr. BEVERIDGE's amendment was rejected.

MAY 13.

Paragraph 115½ (committee amendment). Iron ore, including man-ganiferous iron ore, etc., 25 cents per ton.

On which the following vote was had:
Yeas 61 (18 Democrats), nays 24 (14 Republicans), not voting 6.
So the amendment of the committee was agreed to.

MAY 14.

Paragraph 118. Bar iron, etc.
Mr. CUMMINS offered the following amendment to the paragraph: Paragraph 118, page 33, line 7, after the word "section," it is proposed to strike out "six-tenths" and insert "five-tenths;" and in line 11, after the words "duty of," to strike out "four-tenths" and insert "three-tenths."

On which the following vote was had:
Yeas 35 (11 Republicans), nays 42 (1 Democrat), not voting 14.
So the amendment of Mr. CUMMINS was rejected.
To the same paragraph Mr. McLAURIN offered the following amend-ment:

"Trace chains, log chains, plows, plow stocks, etc., when imported into this country, shall be exempt from the payment of duty."

On which the following vote was had:
Yeas 22 (all Democrats), nays 52 (1 Democrat), not voting 17.

MAY 18.

Paragraph 151. Razors, etc.
Mr. STONE moved to strike out that part of the committee amendment beginning with the word "razors," on page 50, line 11, and ending with the words "ad valorem," in lines 17 and 18, and to insert the following:

"Razors and razor blades, finished or unfinished, valued at less than \$1.50 per dozen, 50 cents per dozen and 15 per cent ad valorem; valued at \$1.50 per dozen and less than \$3 per dozen, \$1 per dozen and 15 per cent ad valorem; valued at \$3 per dozen or more, \$1.75 per dozen and 20 per cent ad valorem."

On which the following vote was had:
Yeas 36 (9 Republicans), nays 43 (all Republicans), not voting 12.
So Mr. STONE's amendment was rejected.
Mr. BACON moved to strike out the paragraph (151) and insert the following:

"Penknives, pocketknives, clasp knives, etc., razors and razor blades, finished or unfinished, 40 per cent ad valorem.
"Scissors and shears, etc., 30 per cent ad valorem."

On which the following vote was had:
Yeas 28 (2 Republicans), nays 51 (all Republicans), not voting 12.
So Mr. BACON's amendment was rejected.
Paragraph 153. Table, butchers', carving, cooks', etc., knives, etc.

Mr. BACON moved to strike out the paragraph (153) and insert the following:

"Table, butchers', carving, cooks', etc., knives, etc., 30 per cent ad valorem."

On which the following vote was had:
Yeas 23 (all Democrats), nays 53 (all Republicans), not voting 15.
So the amendment of Mr. BACON was rejected.

MAY 19.

Paragraph 195. General basket clause of the metal schedule.
Mr. DOLLIVER offered an amendment to make the clause read:

"Articles or wares not specially provided for in this section, composed wholly or in chief value of iron, steel," etc.

On which the following vote was had:
Yeas 30 (9 Republicans), nays 40 (all Republicans), not voting 21.
So Mr. DOLLIVER's amendment was rejected.

MAY 24.

Paragraph —. Lumber.
Amendment offered by Mr. JOHNSTON of Alabama to the amendment proposed by Mr. McCUMBER, which was to strike out paragraphs 197, 199, 200, 201, 203, 204, and 205 in Schedule D; also strike out all of paragraph 708, free list, after the word "planking," and insert in lieu thereof "and all kinds of lumber, timber, laths, shingles, pickets, palings," etc., "and all other lumber not specially provided for."

To which Mr. JOHNSTON of Alabama offered the following amend-ment:

"Nothing contained in this act shall prevent the admission free of duty of the following articles: Lumber of all kinds, laths, shingles, doors," etc.

On which the following vote was had:
Yeas 13 (all Democrats), nays 64 (10 Democrats), not voting 14.
So the amendment of Mr. JOHNSTON of Alabama to the amendment of Mr. McCUMBER was rejected.
The following vote was had on the amendment of Mr. McCUMBER referred to above:

Yeas 25 (15 Republicans), nays 56 (17 Democrats), not voting 10.
So Mr. McCUMBER's amendment was rejected.

MAY 27.

Paragraph 213. Sugar.
Mr. BRISTOW moved to strike out of the committee amendment the words "and on sugar above No. 16 Dutch standard in color."

On which the following vote was had:
Yeas 36 (11 Republicans), nays 47 (2 Democrats), not voting 8.
So Mr. BRISTOW's amendment was rejected.

Mr. BRISTOW also offered an amendment to the same paragraph to strike out the word "ninety" and insert "eighty-two and one-half," so as to read: "One cent and eighty-two and one-half hundredths of one cent per pound."

On which the following vote was had:
Yeas 32 (6 Republicans), nays 53 (2 Democrats), not voting 6.
So Mr. BRISTOW's amendment was rejected.

JUNE 5.

Paragraph 313. Cotton cloth, etc. (p. 97, line 24), valued at not over 7 cents per square yard, not bleached, etc., "1 cent per square yard." (First committee amendment.)

On which the following vote was had:
Yeas 41 (2 Democrats), nays 30 (10 Republicans), not voting 20.
So the amendment of the committee was agreed to.
Second committee amendment to paragraph 313, page 98, line 6, after the word "yard" and the semicolon, insert: "Valued at over 7 and not over 9 cents per square yard, 2½ cents per square yard," etc.

On which the following vote was had:
Yeas 39 (2 Democrats), nays 28 (10 Republicans), not voting 24.
So the amendment of the committee was agreed to.
The next amendment of the committee to paragraph 313 was, on page 98, line 21, after the word "yard" and the semicolon, insert: "Valued at over 9 and not over 11 cents per square yard," etc.

On which the following vote was had:
Yeas 39 (2 Democrats), nays 29 (10 Republicans), not voting 23.
So the amendment of the committee was agreed to.

JUNE 7.

Paragraph 313. Committee amendment to amend the amendment on page 109, line 5, by striking out after the word "counted" and re-minder of paragraph, and inserting:

"In the ascertainment of any and all the particulars or descrip-tions upon which the duties, cumulative or other, imposed upon cot-ton cloth are made to depend, the entire fabric and parts thereof and all the threads of which it is composed shall be included."

Upon which the following vote was had:
Yeas 41 (2 Democrats), nays 26 (9 Republicans), not voting 24.
So the amendment of the committee was agreed to.

Paragraph 321. Cotton cloth, etc.
Mr. DOLLIVER moved to amend the paragraph on page 111, line 3, after the word "yard" to strike out the remainder of the paragraph.

On which the following vote was had:
Yeas 32 (11 Republicans), nays 38 (1 Democrat), not voting 21.
So Mr. DOLLIVER's amendment was rejected.

JUNE 9.

Paragraph 372. Wools advanced from a scoured state, etc. (which had been previously agreed to).

Mr. DOLLIVER moved to reconsider and offered a substitute for the committee paragraph; which was rejected by the following vote:

Yeas 29 (8 Republicans), nays 42 (1 Democrat), not voting 20.

JUNE 10.

Paragraph 373.

Mr. DOLLIVER offered the following amendment: Strike out the com-mittee paragraph and insert the following:

"373. On yarns made wholly or in part of wool, valued at not more than 40 cents per pound, 27½ cents per pound on the wool con-tained therein; valued at more than 40 cents per pound, 38½ cents per pound on the wool contained therein; and, in addition thereto, on all the foregoing, 35 per cent ad valorem."

On which the following vote was had:
Yeas 31 (9 Republicans), nays 43 (1 Democrat), not voting 17.
So Mr. DOLLIVER's amendment was rejected.

Paragraph 374. Cloths, knit fabrics, etc.
Mr. DOLLIVER moved to strike out the committee paragraph and in-sert the following:

"384. Cloths, knit fabrics, etc., made wholly or in part of wool, etc., valued at not more than 40 cents per pound, 33 cents per pound on the wool contained therein; valued above 40 cents per pound, 44 cents per pound, etc.; and in addition thereto, on all the foregoing, 50 per cent ad valorem: *Provided*, That all manufactures in part of wool not spe-cially provided for in this schedule, when composed in chief value of a material other than wool, shall be subject to the rate at which the same would be chargeable under this section if composed wholly of the material thereof of chief value, and in addition thereto shall be subject to a duty of 44 cents per pound on the wool contained therein."

On which the following vote was had:
Yeas 30 (9 Republicans), nays 42 (1 Democrat), not voting 19.
So Mr. DOLLIVER's amendment was rejected.

Mr. DOLLIVER also offered the following as a substitute for para-graph 374:

"Woolen or worsted cloths, woolen or worsted shawls, etc., valued at not exceeding 40 cents per pound, 35 cents per pound, and in addi-tion thereto 35 per cent ad valorem; valued above 60 cents per pound, 45 cents per pound, and in addition thereto 40 per cent ad valorem."

On which the following vote was had:
Yeas 30 (9 Republicans), nays 43 (1 Democrat), not voting 18.
So Mr. DOLLIVER's amendment was rejected.

Paragraph 375. Blankets, and flannels for underwear, etc.
Mr. DOLLIVER offered a substitute in lieu of paragraph 375.

On which the following vote was had:
Yeas 31 (9 Republicans), nays 43 (1 Democrat), not voting 17.
So Mr. DOLLIVER's amendment was rejected.

Mr. DOLLIVER also proposed to strike out paragraph 375 and insert the following as a new paragraph:

"375. Flannels, blankets, and hats, etc., valued at not exceeding 30 cents per pound, 10 cents per pound; valued at above 30 cents and not exceeding 40 cents per pound, 12 cents per pound; valued above 40 cents per pound and not exceeding 60 cents per pound, 18 cents per pound; and in addition thereto, upon all the above-named articles, 35 per cent ad valorem; valued at above 60 cents per pound, 45 cents per pound, and in addition thereto 40 per cent ad valorem."

On which the following vote was had:
Yeas 29 (9 Republicans), nays 43 (1 Democrat), not voting 19.
So Mr. DOLLIVER's amendment was rejected.

Paragraph 376. Women's and children's dress goods, etc.

Mr. DOLLIVER offered the following in lieu of paragraph 376:

"376. Women's and children's dress goods," etc., "valued at not more than 20 cents per square yard, 11 cents per square yard and 25 per cent ad valorem; valued at more than 20 cents per square yard, 11 cents per square yard and 35 per cent ad valorem: *Provided*, That on all the foregoing weighing over 4 ounces per square yard the duty shall be the same as is imposed by this schedule on cloths."

On which the following vote was had:
Yeas 30 (9 Republicans), nays 41 (all Republicans), not voting 20.
So Mr. DOLLIVER's amendment was rejected.

Paragraph 379. Webbing, gorings, suspenders, etc.
Mr. DOLLIVER offered the following in lieu of paragraph 379:

"379. Webbing, gorings," etc., "any of the foregoing made of wool or of which wool is a component material," etc., "50 cents per pound on the wool contained therein, and in addition thereto 60 per cent ad valorem," etc.

On which the following vote was had:
Yeas 32 (9 Republicans), nays 43 (1 Democrat), not voting 16.
So Mr. DOLLIVER's amendment was rejected.

Paragraph 370. Woolen rags, mungo, and flocks, 10 cents per pound. Mr. DOLLIVER offered the following amendment to be placed at the end of the paragraph:

"Provided, That in no case shall the duty upon wools, wool wastes, nolls, or any of the articles in the previous paragraphs of this schedule exceed 60 per cent ad valorem."

On which the following vote was had:

Yeas 27 (9 Republicans), nays 39 (1 Democrat), not voting 25.

So Mr. DOLLIVER's amendment was rejected.

Paragraph 365. The duty upon all wools and hair of the first class shall be 11 cents per pound, and upon all wools or hair of the second class, 12 cents per pound. (Which had been previously agreed to.)

Mr. DOLLIVER moved to reconsider, and proposed to strike out the paragraph and insert in lieu thereof the following:

"365. The duty upon all wool and hair of the first and second classes shall be based upon the shrinkage," etc.: "if shrinking 65 per cent or more, 11 cents per pound; if shrinking less than 65 per cent and not more than 55 per cent, 13 cents per pound; if shrinking less than 55 per cent and not more than 45 per cent, 16 cents per pound," etc.

On which the following vote was had:

Yeas 21 (9 Republicans), nays 37 (1 Democrat), not voting 33.

So Mr. DOLLIVER's amendment was rejected.

JUNE 11.

Yarns made wholly or in part of wool.

Mr. BACON offered an amendment to the paragraph, which was rejected by the following vote:

Yeas 21 (all Democrats), nays 50 (all Republicans), not voting 20.

Mr. BACON also offered sundry amendments, which were rejected by the following vote:

Yeas 20 (all Democrats), nays 50 (1 Democrat), not voting 21.

Paragraph 375. Blankets, flannels, etc.

Mr. GORE moved that the paragraph be reconsidered and offered the following amendment to come in at end of paragraph: "Provided, however, That in no case shall the duty on blankets exceed 75 per cent ad valorem," on which the following vote was had:

Yeas 29 (7 Republicans), nays 43 (1 Democrat), not voting 19.

So Mr. GORE's amendment was rejected.

SCHEDULE K.

On motion of Mr. CUMMINS to recommit Schedule K to the Finance Committee, with instructions to again consider the same and report a schedule as follows:

1. With the duties on wool unchanged.

2. With the so-called "compensatory duties" to the woolen manufacturer that will measure the difference in price and provide reasonable profit, etc.

3. A further duty on imported woolen manufactures, etc.

The following vote was had:

Yeas 8 (all Republicans), nays 59 (16 Democrats), not voting 24.

So Mr. CUMMINS's motion was not agreed to.

JUNE 16.

Paragraph 471d. Philippine duties, etc.

Mr. FLETCHER offered the following amendment to the paragraph: Page 1, line 5, strike out the colon after the word "countries," and add the words "except as provided by existing law now in force;" and strike out the remainder of the substitute, so that it will read:

"471d. There shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries, except as provided by existing law now in force."

Upon which the following vote was had:

Yeas 26 (5 Republicans), nays 43 (all Republicans), not voting 22.

Paragraph 190. Zinc.

Mr. STONE offered the following amendment: After the figures "190," numbering the paragraph, strike out the remainder of the paragraph and insert:

"Zinc in blocks or pigs," etc., "shall be admitted free of duty."

On which the following vote was had:

Yeas 16 (all Democrats), nays 49 (all Republicans), not voting 26.

JUNE 17.

Paragraph 409. Writing, letter, note paper, etc.

Mr. BRISTOW offered the following amendment to the proposed substitute of the committee for paragraph 409:

On line 11, page 165, strike out "three" and insert "two," so that it will read "2 cents a pound and 15 per cent ad valorem."

On which the following vote was had:

Yeas 27 (10 Republicans), nays 35 (all Republicans), not voting 29.

So Mr. BRISTOW's amendment was rejected.

JUNE 18.

Paragraph 405. Printing paper, etc.

Mr. BROWN offered the following amendment: In paragraph 405, page 157, in lines 20, 21, and 22, it is proposed to strike out the following words: "Valued at not above 2½ cents per pound, one-tenth of 1 cent per pound."

On which the following vote was had:

Yeas 29 (4 Republicans), nays 52 (all Republicans), not voting 11.

Mr. ALDRICH, on behalf of the committee offered the following amendment: On page 157, line 21, in paragraph 405, strike out "one-tenth" and insert in lieu thereof "two-tenths," so as to read:

"Valued at not above 2½ cents per pound, two-tenths of a cent per pound."

To which Mr. LA FOLLETTE offered the following amendment: In line 22, page 157, after the word "pound," insert the following: "Provided, That this rate shall be effective until July 1, 1912, after which time the rate shall be one-tenth of 1 cent per pound."

On which the following vote was had:

Yeas 31 (9 Republicans), nays 44 (2 Democrats), not voting 17.

So Mr. LA FOLLETTE's amendment was rejected.

On the amendment of Mr. ALDRICH (on behalf of the committee) the following vote was had:

Yeas 44 (1 Democrat), nays 32 (8 Republicans), not voting 16.

JUNE 22.

Paragraph 447½. Hides, etc.

Mr. STONE offered the following amendment to the paragraph: "Leather made from the hides of cattle; boots and shoes made of leather," etc., "all the foregoing shall be admitted free of duty."

On which the following vote was had:

Yeas 26 (4 Republicans), nays 48 (1 Democrat), not voting 18.

JUNE 23.

Paragraph 197. Lumber, etc.

Mr. McCUMBER moved to amend the substitute of the committee by striking out the words "and 50 cents," in line 4 of the amendment, so that it will read:

"Sawed lumber, not specially provided in this section, \$1 per thousand feet board measure."

On which the following vote was had:

Yeas 26 (15 Republicans), nays 44 (11 Democrats), not voting 22.

So Mr. McCUMBER's amendment was rejected.

Mr. McCUMBER offered the following amendment to the amendment of the committee: In line 8, to strike out "fifty" and insert "twenty-five," so as to read:

"For one side so planed or finished, 25 cents per 1,000 feet board measure."

In line 11 strike out "seventy-five" and insert "fifty," so as to read, "50 cents per 1,000 feet board measure;" in line 12, and line 1 on page 2, strike out the words "one dollar and twelve and a half cents" and insert in lieu thereof the words "seventy-five cents;" and after the word "grooving," in line 2, page 2, strike out the word "or" and insert

"75 cents; for;" and in line 3 strike out the words "fifty cents," so as to read "\$1 per thousand feet," so as to make the amendment read:

"For one side so planed or finished, 25 cents per 1,000 feet board measure; for planing or finishing on one side and tonguing and grooving or for planing and finishing on two sides, 50 cents per 1,000 feet board measure; for planing or finishing on three sides, 75 cents per 1,000 feet board measure; for planing and finishing on two sides and tonguing and grooving, 75 cents; for planing and finishing on four sides, \$1 per 1,000 feet board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving."

On which the following vote was had:

Yeas 30 (17 Republicans), nays 49 (10 Democrats), not voting 13.

So Mr. McCUMBER's amendment to the amendment of the committee was rejected.

Paragraph 424. Coal, bituminous and shale, 60 cents per ton, etc.

Mr. McCUMBER moved to amend the proposed amendment by striking out the word "sixty," after the word "shale," and inserting in lieu thereof the word "forty."

On which the following vote was had:

Yeas 28 (12 Democrats), nays 45 (35 Republicans), not voting 19.

So the amendment of Mr. McCUMBER to the amendment of the committee was rejected.

JUNE 24.

Paragraph 448. Leather, etc.

Mr. ALDRICH, on behalf of the committee, offered the following amendment to paragraph 448: On page 179, line 21, strike out "fifteen" and insert "twenty."

On which the following vote was had:

Yeas 32 (all Republicans), nays 24 (8 Republicans), not voting 36.

So the amendment was agreed to.

Paragraph 448. Leather, etc.

Mr. BRISTOW offered the following amendment as a substitute for paragraph 448:

"Hides of cattle, raw or uncured, whether dry, salted," etc., "shall be admitted into the ports of the United States free of duty: *Provided*, That articles mentioned in this paragraph, if imported from a country which levies an import duty on like articles imported from the United States, shall be subject to the rate of duty existing prior to the passage of this act."

Mr. ALDRICH moved to lay the amendment on the table, on which the following vote was had:

Yeas 33 (all Republicans), nays 23 (6 Republicans), not voting 36.

So Mr. BRISTOW's amendment was laid on the table.

JUNE 25.

Paragraph 116. Iron in pigs, iron kentledge, spiegeleisen, ferromanganese, etc.

Mr. CUMMINS offered the following amendment to the paragraph:

On page 32, line 18, after the word "ferromanganese," strike out the words "wrought and cast scrap iron, and scrap steel," and the comma; also, after the word "ton," strike out the semicolon and the remainder of the paragraph, so as to read:

"Iron in pigs, iron kentledge, spiegeleisen, and ferromanganese, \$2.50 per ton."

On which the following vote was had:

Yeas 28 (11 Republicans), nays 42 (4 Democrats), not voting 22.

So the amendment of Mr. CUMMINS was rejected.

Mr. CUMMINS also offered the following amendment to the same paragraph:

In paragraph 116, page 32, line 19, strike out "\$2" and insert "\$1," so as to read "\$1.50 per ton."

On which the following vote was had:

Yeas 26 (12 Republicans), nays 45 (6 Democrats), not voting 21.

So the amendment of Mr. CUMMINS was rejected.

Paragraph 37½. Petroleum, etc.

Mr. PENROSE offered the following amendment as an additional paragraph:

"Paragraph 37½. Petroleum, crude, one-half cent per gallon,"

On which the following vote was had:

Yeas 34 (1 Democrat), nays 40 (18 Republicans), not voting 18.

So the amendment of Mr. PENROSE was rejected.

JUNE 26.

Paragraph 651½. Plows, etc. (free list).

Mr. BACON proposed to insert the following paragraph in the free list, to be designated as paragraph 651½—

"651½. Plows, tooth and disk harrows, harvesters, etc.: *Provided*, That articles mentioned in this paragraph, if imported from a country which lays an import duty on like articles imported from the United States, shall be subject to duties existing prior to the passage of this act."

On which the following vote was had:

Yeas 26 (3 Republicans), nays 45 (all Republicans), not voting 21.

Paragraph 472½ (free list). Lumber, etc.

Mr. DAVIS moved to insert the following in the free list as an additional paragraph:

"472½. Sawed boards, planks, deals, all other lumber of whitewood, sycamore, basswood, and all sawed lumber of every kind, whether dressed or undressed, finished or unfinished, shall be admitted free of duty."

On which the following vote was had:

Yeas 18 (11 Republicans), nays 37 (5 Democrats), not voting 37.

So the amendment of Mr. DAVIS was rejected.

Paragraph 349. Bags or sacks, etc.
Mr. JONES moved to insert the following amendment at the end of the paragraph:
"Except jute grain bags, known commercially as standard calcutta, 22 inches by 32 inches grain bags, which shall be admitted free of duty."
On which the following vote was had:
Yeas 25 (10 Republicans), nays 33 (1 Democrat), not voting 34.
So the amendment of Mr. JONES was rejected.

JUNE 28.

Paragraphs 116, 118, 119, 124, 125, 129, 134, and 160. Iron and iron products.
To each of which Mr. CUMMINS offered amendments.
On which the following vote was had:
Yeas 31 (10 Republicans), nays 40 (1 Democrat), not voting 21.
So the amendments of Mr. CUMMINS were rejected.
Paragraph 583½. Hoop or band iron, etc., for cotton ties.
Mr. CULBERSON offered the following amendment to be added as a new paragraph on the free list:
"583½. Hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity."
On which the following vote was had:
Yeas 31 (10 Republicans), nays 38 (all Republicans), not voting 23.
So Mr. CULBERSON'S amendment was rejected.

JULY 2.

Corporation-tax amendment. The following vote was had on the amendment of Mr. ALDRICH to the substitute proposed by Mr. LODGE to the income-tax amendment:
Yeas 45 (all Republicans), nays 31 (7 Republicans), not voting 16.
So the amendment of Mr. ALDRICH to the substitute of Mr. LODGE was agreed to.
Mr. ALDRICH offered the foregoing amendment as a substitute for the amendment proposed by Mr. BAILEY.
On which the following vote was had:
Yeas 45 (all Republicans), nays 31 (7 Republicans), not voting 16.
So Mr. ALDRICH'S substitute for Mr. BAILEY'S amendment was agreed to.
Mr. BACON offered the following amendment to the substitute.
The SECRETARY. It is proposed to insert at the conclusion of the first paragraph of section 4:
"Provided, That the provisions of this section shall not apply to any corporation or association organized and operated for religious, charitable, or educational purposes, no part of the profit of which inures to the benefit of any private stockholder or individual, but all of the profit of which is in good faith devoted to the said religious, charitable, or educational purposes;
"Provided further, That the provisions of this section shall not apply to incorporations or associations of fraternal orders or organizations designed and operated exclusively for mutual benefit or for the mutual assistance of its members;
"Provided further, That the provisions of this section shall not apply to any insurance or other corporations or associations organized and operated exclusively for the mutual benefit of its members in which there are no joint-stock shares entitled to dividends or individual profit to the holders thereof.
"Provided further, That the provisions of this section shall not apply to any corporation or association designed and operated solely for mercantile business, the gross sales of which do not exceed \$250,000 per annum."

On the motion of Mr. ALDRICH to lay the amendment on the table the following vote was had:
Yeas 42 (all Republicans), nays 32 (8 Republicans), not voting 18.
So Mr. BACON'S amendment to the amendment was laid on the table.
Mr. BACON also offered the following amendment to the amendment:
"9. That every corporation, joint-stock company and association, and every person in the United States holding the bonds, debentures, or other evidences of indebtedness of any corporation or association organized under the laws of either the United States or of any State or Territory of the United States shall, upon the right to hold and possess said bonds and to collect the principal and interest of said bonds, be subject to pay annually a special excise tax equivalent to 2 per cent upon the annual interest payable upon said bonds."

"That every corporation, joint-stock company and association having outstanding bonds upon which interest is payable annually, semiannually, or quarterly, or at less intervals of time, shall on the 1st day of October of each year make out and transmit to the collector of internal revenue for the district in which said corporation, company, or association shall be situated a report of the said outstanding bonds, the denominations of said bonds, the aggregate amount of the same, the rate of interest payable on the same, and the dates when said interest is due and payable, which report shall be transmitted forthwith by the collector to the Commissioner of Internal Revenue. It shall further be the duty of every such corporation, company, and association when such interest becomes due and payable to deduct and retain the proportion of said amount payable to each of the holders of said bonds, the amount of excise tax payable by said bondholder under the provisions of this section, and to thereafter pay the same to the said collector of internal revenue under the rules and regulations which shall be prescribed by the Commissioner of Internal Revenue; and the receipt of the said collector of internal revenue for the said amounts thus paid to him by said corporation, company, or association shall be received by said bondholder, to the extent named therein, in payment of the amount due upon the bond or bonds so held by him."

And on the motion of Mr. ALDRICH to lay the amendment on the table the following vote was had:
Yeas 41 (all Republicans), nays 34 (8 Republicans), not voting 17.
So Mr. BACON'S amendment to the amendment was laid on the table.
On the corporation-tax amendment as amended the following vote was had:
Yeas 59 (15 Democrats), nays 11 (8 Republicans), not voting 22.
So the amendment as amended was agreed to.

JULY 3.

MAXIMUM AND MINIMUM.

Mr. ALDRICH moved to insert, on page 224, after line 16, the following as section 2:
"The provisions of the dutiable list and the free list of this section shall constitute the minimum tariff of the United States," etc.

Mr. CULBERSON offered the following amendment to the proposed section:

On page 4, line 4, after the word "required," insert the following:
"Not exceeding seven, no more than four of whom shall belong to any one political party, who shall each receive a salary of \$7,500 per annum."

On which the following vote was had:
Yeas 17 (1 Republican), nays 43 (1 Republican), not voting 32.
So Mr. CULBERSON'S amendment to the amendment was rejected.
Mr. GORE offered section 4 of the Dingley Act as a substitute for section 2 of the pending proposition.

On which the following vote was had:
Yeas 16 (3 Republicans), nays 39 (all Republicans), not voting 37.
So Mr. GORE'S amendment was rejected.
Mr. DOLLIVER offered the following amendment to the amendment:
At the end of line 2, on page 4, insert the following:
"A commission is hereby created and established in the Treasury Department, to be known as the 'customs commission,'" etc.

On which the following vote was had:
Yeas 23 (11 Republicans), nays 28 (1 Democrat), not voting 41.
So Mr. DOLLIVER'S amendment was rejected.

The following vote was then had on the amendment offered by Mr. ALDRICH:
Yeas 36 (all Republicans), nays 18 (4 Republicans), not voting 38.
So the amendment of Mr. ALDRICH was agreed to.

JULY 5.

S. J. R. 40. To amend the Constitution of the United States relative to the income-tax provision, etc.

Mr. BAILEY offered the following amendment to the resolution: In line 5, strike out the word "legislatures" and insert the word "conventions."

On which the following vote was had:
Yeas 30 (6 Republicans), nays 46 (1 Democrat), not voting 16.
The following vote was then had on the joint resolution:
Yeas 77, not voting 15.
So the joint resolution was passed unanimously.

JULY 7.

CORPORATION-TAX AMENDMENT.

Mr. BAILEY offered an income-tax measure as a substitute for the amendment.

On which the following vote was had:
Yeas 28 (5 Republicans), nays 47 (all Republicans), not voting 17.
So Mr. BAILEY'S amendment was rejected.
Mr. BACON offered the following as an amendment to the section:
At the end of the section add the following:

"Provided, That the provisions of this section shall not apply to any corporation or association designed and operated solely for mercantile business, the gross sales of which do not exceed \$150,000 per annum."

On which the following vote was had:
Yeas 27 (6 Republicans), nays 45 (all Republicans), not voting 20.
So the amendment of Mr. BACON was rejected.
Mr. NEWLANDS offered the following amendment to the section: On page 371, after the word "association" and the comma in line 14, strike out all down to and including the words "District of Columbia," at the end of line 21, and insert:

"Engaged in the business of refining oil or sugar, or in the manufacture of any commodity included in the dutiable list of this act, whose gross receipts exceed \$250,000 per annum."

Mr. ALDRICH moved to lay the amendment on the table.
On which the following vote was had:
Yeas 46 (1 Democrat), nays 24 (4 Republicans), not voting 22.
So the amendment submitted by Mr. NEWLANDS was laid on the table.

Mr. McLAURIN submitted an amendment to the section and Mr. ALDRICH moved to lay the amendment on the table.
On which the following vote was had:
Yeas 46 (all Republicans), nays 24 (4 Republicans), not voting 22.
So Mr. McLAURIN'S amendment was laid on the table.

JULY 8.

CORPORATION-TAX PROVISION.

Mr. BACON, on behalf of Mr. CLAY, offered an amendment to the corporation-tax provision to tax stock-exchange and bucket-shop transactions, which amendment Mr. ALDRICH moved to lay on the table.

On which the following vote was had:
Yeas 44 (1 Democrat), nays 34 (11 Republicans), not voting 14.
So Mr. CLAY'S amendment was laid on the table.

TOBACCO AMENDMENT.

Mr. DANIEL offered an amendment to the tobacco amendment.
On which the following vote was had:
Yeas 24 (all Democrats), nays 53 (all Republicans), not voting 15.
So Mr. DANIEL'S amendment was rejected.

The following vote was then had on the tobacco amendment increasing taxation:

Yeas 52 (all Republicans), nays 25 (all Democrats), not voting 15.
So the amendment was agreed to.

Paragraph 637. Oils, etc.

Mr. CURTIS offered the following amendment to the paragraph:
At the end of the paragraph, on page 232, add the following: "Provided, That if there be imported into the United States crude petroleum produced in any country which imposes a duty on petroleum exported from the United States there shall in such cases be levied, paid, and collected a duty upon said petroleum so imported one-half of the duty imposed by such country: Provided further, That importers of crude petroleum shall not be entitled to the drawback provisions of this act."

On which the following vote was had:
Yeas 44 (2 Democrats), nays 31 (9 Republicans), not voting 17.
Mr. STONE proposed the following, to be added as a new paragraph to the free list:

"Paragraph 581. Hides, etc., boots and shoes," etc.
Mr. ALDRICH moved to lay the amendment on the table.
On which the following vote was had:
Yeas 45 (1 Democrat), nays 28 (7 Republicans), not voting 19.
So Mr. STONE'S amendment was laid on the table.

Mr. BURTON offered the following amendment, to be inserted in the free list as a new paragraph:
"Paragraph 493½. Asphaltum and bitumen, crude, if not dried or otherwise advanced in any manner."

Mr. ALDRICH moved to lay the amendment on the table.

On which the following vote was had:
Yeas 37 (1 Democrat), nays 29 (9 Republicans), not voting 26.
So Mr. BURTON's amendment was laid on the table.
Mr. BACON offered the following, to be added as a new paragraph to the free list:
"Paragraph 583½. Hoop or band iron, etc., for baling cotton or any other commodity."
Mr. ALDRICH moved to lay the amendment on the table.
On which the following vote was had:
Yeas 43 (all Republicans), nays 31 (6 Republicans), not voting 18.
So Mr. BACON's amendment was laid on the table.
Schedule K. Wool and manufactures of.
Mr. LA FOLLETTE offered sundry amendments to the schedule.
On which the following vote was had:
Yeas 33 (9 Republicans), nays 45 (1 Democrat), not voting 14.
So Mr. LA FOLLETTE's amendments were rejected.
The following vote was then had on the bill (H. R. 1438):
Yeas 45 (1 Democrat), nays 34 (10 Republicans), not voting 13.
So the bill was passed.

ACCOUNTS OF POSTMASTERS IN KENTUCKY.

Mr. BRADLEY. I desire to offer a resolution. I believe it is out of order to have action on it at this time. By unanimous consent I ask that it may lie on the table.

The VICE-PRESIDENT. The Senator from Kentucky submits a resolution, which he asks may be read and lie on the table. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 69), as follows:

Senate resolution 69.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to have audited and reported for payment to the Senate the salaries of those who served as postmasters at post-offices in the State of Kentucky in biennial terms between July 1, 1864, and June 30, 1874, whose names and periods of service appear in applications before 1887 on file in the department, the salary of each former postmaster to be stated for each specified term of service by commissions and box rents, as shown by the registered returns of each former postmaster on file in the sixth auditor's office, and to show the exact excess of the salary by commissions and box rents over the salary paid in every case where the paid salary is 10 per cent less than the salary by box rents and commissions; and to comply in all respects with the public order of the Postmaster-General of February 17, 1884, for stating such salary accounts of former postmasters under the act of March 3, 1883; and to enable the Secretary of the Treasury the better to comply with this resolution the Postmaster-General is hereby directed to turn over to the sixth auditor all the data now in his hands pertaining to each and every such claim.

Mr. CARTER. I think that the resolution, relating to the accounts of the Post-Office Department, should be referred to the Committee on Post-Offices and Post-Roads.

The VICE-PRESIDENT. The request of the Senator from Kentucky was that the resolution should lie on the table.

Mr. CARTER. To that I have no objection, but I make the suggestion now that after the matter shall have rested on the table such time as the Senator from Kentucky may desire, I shall insist that the resolution be referred to the Committee on Post-Offices and Post-Roads.

Mr. KEAN. I will say to the Senator from Montana that the Committee on Claims have had those claims before them for a great many years.

Mr. CARTER. I recall a series of accounts involving a very wide range of inquiry concerning post-office matters, reaching back to about 1860. It is a very complicated affair, and it will require careful attention before any action is taken by the Senate looking to a requirement of the statement of accounts by the President.

Mr. KEAN. I agree with the Senator from Montana.

The VICE-PRESIDENT. Without objection, the resolution will lie on the table.

HOUSE BILL REFERRED.

H. R. 11570. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1909, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 12 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, July 26, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 23, 1909.

ASSISTANT DIRECTOR OF CENSUS.

William F. Willoughby, of the District of Columbia, to be Assistant Director of the Thirteenth Decennial Census.

MINISTER TO CHINA.

Charles R. Crane, of Illinois, to be envoy extraordinary and minister plenipotentiary of the United States of America to

China, vice William Woodville Rockhill, appointed ambassador extraordinary and plenipotentiary to Russia.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. Alfred A. Maybach, Coast Artillery Corps, to be captain from July 18, 1909, vice Capt. Samuel S. O'Connor, who died on that date.

INFANTRY ARM.

Capt. George B. Duncan, Fourth Infantry, to be major from July 19, 1909, vice Maj. Wallis O. Clark, Second Infantry, retired from active service on that date.

First Lieut. Henry A. Ripley, Twenty-second Infantry, to be captain from June 12, 1909, vice Capt. Alden C. Knowles, Thirtieth Infantry, detailed in the Signal Corps on that date.

First Lieut. William A. Kent, Twenty-second Infantry, to be captain from June 25, 1909, vice Capt. Frank R. Lang, Second Infantry, appointed judge-advocate and retired from active service on that date.

First Lieut. Walter C. Sweeney, Twenty-fourth Infantry, to be captain from June 28, 1909, vice Capt. Chase Doster, Twenty-first Infantry, detailed as quartermaster on that date.

First Lieut. Samuel W. Noyes, Thirtieth Infantry, to be captain from July 19, 1909, vice Capt. George B. Duncan, Fourth Infantry, promoted.

Second Lieut. George A. Lynch, Seventeenth Infantry, to be first lieutenant from June 12, 1909, vice First Lieut. Alpha T. Easton, Twenty-ninth Infantry, retired from active service, to take effect on that date.

Second Lieut. Samuel M. Parker, Twenty-ninth Infantry, to be first lieutenant from June 12, 1909, vice First Lieut. Henry A. Ripley, Twenty-second Infantry, promoted.

Second Lieut. Robert M. Lyon, Eleventh Infantry, to be first lieutenant from June 25, 1909, vice First Lieut. William A. Kent, Twenty-second Infantry, promoted.

Second Lieut. Francis H. Farnum, Eleventh Infantry, to be first lieutenant from June 28, 1909, vice First Lieut. Walter C. Sweeney, Twenty-fourth Infantry, promoted.

Second Lieut. Benjamin E. Grey, Twenty-ninth Infantry, to be first lieutenant from July 1, 1909, vice First Lieut. Gilbert H. Stewart, Twenty-first Infantry, detailed in the Ordnance Department on that date.

Second Lieut. Elvid Hunt, Twenty-eighth Infantry, to be first lieutenant from July 19, 1909, vice First Lieut. Samuel W. Noyes, Thirtieth Infantry, promoted.

PROMOTIONS IN THE NAVY.

Commander Augustus F. Fechteler to be a captain in the navy from the 1st day of July, 1909, vice Capt. John B. Collins, retired.

Commander Albert G. Winterhalter to be a captain in the navy from the 1st day of July, 1909, vice Capt. Dennis H. Mahan, retired.

Lieut. Commander George F. Cooper to be a commander in the navy from the 16th day of June, 1909, vice Commander Francis H. Sherman, promoted.

Lieut. Commander Josiah S. McKean to be a commander in the navy from the 18th day of June, 1909, vice Commander William S. Hogg, promoted.

Lieut. Commander Andrew T. Long to be a commander in the navy from the 1st day of July, 1909, vice Commander Herbert O. Dunn, promoted.

Lieut. Arthur J. Hepburn to be a lieutenant-commander in the navy from the 1st day of July, 1909, vice Lieut. Commander Edward H. Durell, promoted.

Surg. Lloyd W. Curtis to be a medical inspector in the navy from the 1st day of July, 1909, vice Medical Insp. Averley C. H. Russell, retired.

Passed Asst. Surg. Allen E. Peck to be a surgeon in the navy from the 12th day of June, 1909, vice Surg. William H. Bucher, deceased.

Passed Asst. Surg. Charles G. Smith to be a surgeon in the navy from the 1st day of July, 1909, vice Surg. Lloyd W. Curtis, promoted.

Asst. Naval Constructor Henry M. Gleason to be a naval constructor in the navy from the 4th day of March, 1909, upon the completion of eight years' service in present grade.

Asst. Naval Constructor Guy A. Bisset to be a naval constructor in the navy from the 28th day of January, 1909, upon the completion of eight years' service in present grade.

The following-named ensigns in the navy to be assistant naval constructors in the navy from the 19th day of July, 1909, to fill vacancies existing in that grade on that date:.

Whitford Drake,

Harry G. Knox, and

Lew M. Atkins.

First Lieut. Raymond B. Sullivan to be a captain in the United States Marine Corps from the 7th day of June, 1909, vice Capt. Leof M. Harding, retired.

POSTMASTERS.

ALABAMA.

William S. Smith to be postmaster at Fort Deposit, Ala. Office became presidential January 1, 1909.

CALIFORNIA.

Charles Q. Rideout to be postmaster at San Leandro, Cal., in place of Franch P. Church, resigned.

NEBRASKA.

H. P. Nielsen to be postmaster at Lexington, Nebr., in place of Walter H. Andrews, resigned.

NEW YORK.

Justin B. Andrews to be postmaster at Massena, N. Y., in place of Melvin J. Stearns, resigned.

OHIO.

Adolphus Baker to be postmaster at Amherst (late North Amherst), Ohio, in place of Adolphus Baker. To change name of office.

Howard J. Warner to be postmaster at Jefferson, Ohio, in place of Frank Fortune, resigned.

WASHINGTON.

W. P. Ebris to be postmaster at Spokane, Wash., in place of Millard T. Hartson, resigned.

J. D. Stage to be postmaster at Blaine, Wash., in place of George D. C. Pruner, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 23, 1909.

MINISTER TO CHINA.

Charles R. Crane to be minister to China.

UNITED STATES MARSHAL.

James H. Anderson to be United States marshal for the district of Utah.

REGISTER OF THE LAND OFFICE.

Thomas E. Olsgard, to be register of the land office at Minot, N. Dak.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Capt. William Edward Reynolds to be a senior captain.

First Lieut. Claude Stanley Cochran to be a captain.

First Lieut. Charles Ernest Johnston to be a captain.

Second Lieut. Philip Wales Lauriat to be a first lieutenant.

Third Lieut. Joseph Raoul Besse to be a second lieutenant.

Third Lieut. Edward Joseph Donohue to be a second lieutenant.

Third Lieut. James Pine to be a second lieutenant.

Third Lieut. Michael John Ryan to be a second lieutenant.

Third Lieut. Warner Kieth Thompson to be a second lieutenant.

Third Lieut. William Francis Towle to be a second lieutenant.

APPOINTMENTS IN THE ARMY.

FIELD ARTILLERY ARM.

To be second lieutenants, with rank from July 14, 1909.

Master Gunner Lucien Helm Taliaferro.

Sergt. Harold Hubert Bateman.

CAVALRY ARM.

Battalion Sergt. Maj. John Charles Fremont Tillson, jr.

Pvt. Paul Christopher Raborg.

INFANTRY ARM.

Corp. Vernon George Olsmith.

Master Gunner Ralph Ernest Jones.

Pvt. Earle Marian Chant.

Master Gunner John Schorn Singleton.

POSTMASTERS.

CALIFORNIA.

James A. Kelly, at Beaumont, Cal.

Oscar H. Tetzlaff, at McKittrick, Cal.

GEORGIA.

Siegfried Schwarzwelss, at Waynesboro, Ga.

IDAHO.

James H. Huling, at Spirit Lake, Idaho.

ILLINOIS.

Frank W. Anderson, at Donovan, Ill.

Edward F. Shaffer, at Grayslake, Ill.

KANSAS.

Charles W. Yoder, at Haddam, Kans.

MISSOURI.

James R. Dyer, at Ash Grove, Mo.

NEW JERSEY.

Ralph G. Collins, at Barnegat, N. J.

Michael McDermott, at Allendale, N. J.

Edmund Maples, at Oradell, N. J.

George F. Renear, at Ocean Grove, N. J.

Harry B. Ridgeway, at Pemberton, N. J.

NEW YORK.

Matthew McManus, at Orangeburg, N. Y.

Frederick W. Woolsey, at Milton, N. Y.

OHIO.

William R. Thomas, at Niles, Ohio.

PENNSYLVANIA.

Cameron Boak, at Hughesville, Pa.

John H. Dunn, at Parkesburg, Pa.

T. Dean Ross, at Williamsburg, Pa.

Annie K. Stadden, at Glen Campbell, Pa.

TENNESSEE.

Frank J. Nunn, at Brownsville, Tenn.

Charles Shelley Wortham, at Tullahoma, Tenn.

TEXAS.

Lee H. Meyer, at Rosenberg, Tex.

HOUSE OF REPRESENTATIVES.

FRIDAY, July 23, 1909.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of Tuesday's proceedings was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

MAP OF AUSTRALIA.

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent to insert in a speech made a map of Australia.

The SPEAKER. The gentleman from Michigan asks unanimous consent, in the publication of remarks he has heretofore made, to print a map of Australia. Is there objection?

Mr. MANN. Reserving the right to object, I would like to know just what the request is.

The SPEAKER. The request of the gentleman from Michigan is, in connection with remarks that he has heretofore made before the House, to print a map of Australia.

Mr. MANN. Now, Mr. Speaker, reserving the right to object, as I understand, that is a matter which is referred to the Joint Committee on Printing, and the House has no jurisdiction over the subject. The law gives the right to the Joint Committee on Printing. There being no Joint Committee on Printing at the present time, the matter is in the hands of the Senate Committee on Printing when a joint committee does not exist; and the Senate committee has stated in the Senate that they would not consent to any of these requests.

The SPEAKER. The Chair will state to the gentleman from Illinois that the Chair is under the impression that the law provides in a condition like unto this that the Senate Committee on Printing shall exercise the administrative functions of the joint committee.

Mr. MANN. That is the statement that I have just made; and the further statement that the announcement has been made in the Senate that the Senate committee would not, for the present, consent to the insertion of any maps in the Record.

Mr. SMITH of Michigan. Mr. Speaker, I desire to say that is not the information I have received—on the contrary—

Mr. SLAYDEN. Mr. Speaker, let us have order. It is impossible to tell what the request is.

The SPEAKER. The House will be in order.

Mr. SMITH of Michigan. Mr. Speaker, I desire to say that that is not the information which I have received from one who is high up in this matter. On the contrary, I was told that the proper course was to get unanimous consent. Of course if that is not the proper way, I want to find what is the proper way. If that is to get it through the Joint Committee on Printing, I am perfectly willing to seek to get it that way.

Mr. MANN. It is the Joint Committee on Printing that does have jurisdiction under the law, I will say to the gentleman from Michigan.

Mr. SMITH of Michigan. This seems to be a question of difference as to the proper way. If it is necessary to get the consent of the Senate, I want to know what to do and I will do it.

Mr. MANN. Let it go over. There is no Committee on Printing yet.

Mr. SMITH of Michigan. I certainly can not see why there should be any objection to it, when it was in a speech I made before, and I think anyone who cares to read the speech would read it with added interest if it could be explained by the publication of the map.

Mr. MANN. I think that some would think that there would be a great deal of interest added to the CONGRESSIONAL RECORD if we would put fancy illustrations in all its pages, far above many of the speeches, and yet the gentleman knows that that would not meet with the approval of the House.

Mr. KEIFER. I would like to know what the gentleman's request is?

Mr. SMITH of Michigan. I simply want unanimous consent to put a map of Australia.

Mr. KEIFER. I should like to say a word on that request.

The SPEAKER. Does the gentleman withdraw his request?

Mr. SMITH of Michigan. No, sir.

Mr. KEIFER. I ask the gentleman to yield to me for a moment.

Mr. SMITH of Michigan. I yield to the gentleman.

Mr. KEIFER. I understand the Senate Committee on Printing now has, or has assumed, jurisdiction. It seems that during the tariff discussion in the Senate in the last three months there were a great many propositions to put illustrations in the RECORD, and after repeated hearings by the Senate Committee on Printing it decided to put none of them in. I wanted to put in a little illustration that was so small that I thought it was too little to talk about. I talked with them about it, and after one or two sessions and some conflict they decided that it should not go in, and they also claimed that neither the Senate nor House has a right under the statute to determine the question of whether an illustration can go in the RECORD or not.

Mr. MANN. I may say to the gentleman that the law provides that the Public Printer shall not insert any sort of illustration in the RECORD without the approval first of the Joint Committee on Printing, and neither House can disregard that and affect the law.

Mr. KEIFER. I think in the absence of the Joint Committee on Printing, which is the situation we are in now, the Senate committee under the law exercises the jurisdiction that the Joint Committee on Printing does.

Mr. MANN. I will say to the gentleman from Michigan that in one case where it was sought to have illustrations printed the cost would have been over \$10,000 per one set of illustrations.

Mr. SMITH of Michigan. That might be in one case, but in this case it would not add 15 cents to the cost. I will withdraw the request.

CORRECTION OF THE RECORD.

Mr. MACON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MACON. I rise for the purpose of asking a correction of the CONGRESSIONAL RECORD of last Monday, the 19th instant, by striking out a certain paragraph of a colloquy between myself and the gentleman from Colorado [Mr. RUCKER], that has found its way into the RECORD in some mysterious way:

Mr. RUCKER of Colorado. I hope that the gentleman from Arkansas, in his anxiety, will for the present withhold his resignation, so that his constituents may at the next election write it for him. [Great applause.]

Now, Mr. Speaker, I hope there will be no objection to the correction of the RECORD in so far as striking out the "great applause" is concerned. I have no objection to the language found in this particular paragraph remaining with the applause out, if whoever improperly inserted it cares to have it appear in it. It will be entombed for all time and can not possibly hurt anyone. But I do object most seriously to having the records of the legislation of this country perpetuate such a sentiment upon its pages followed by the words "great applause," when it is not true.

I object to having it go out to the country that my colleagues with whom I have served for the last six years approved with applause the sentiment written outside of the House and not spoken in it, expressing the hope that I would be retired at the next election by my constituents, when the words express-

ing the hope were not spoken in the House, and therefore no such applause could have been had. The gentleman has a perfect right to hope that I will be retired by my constituents at the next election, but I do not want the RECORD to show that such a sentiment was uttered and that there was great applause in support of it, when in truth it was not expressed on the floor of the House, and hence could not have been applauded. [Applause.] I do not say that the gentleman from Colorado put the paragraph in the RECORD, but I do say that somebody did, for it is there. It is there, sir, in violent contradiction of the facts as they actually occurred, and for that reason, as well as in behalf of the integrity of the legislative record of this country, I hope there will be no objection to its being stricken out. I am ready to give unanimous consent, so far as I am concerned, to permit what was written and improperly inserted in the RECORD to remain in it, if it will please anyone, if the words "great applause" are stricken out, for it can not injure me in any way, no matter how it found its way into it.

The SPEAKER. Is there objection to the motion of the gentleman from Arkansas?

Mr. RUCKER of Colorado. Mr. Speaker, I have listened attentively to what the gentleman from Arkansas has said in reference to the matter of applause. I saw that he was about to get up and ask the House for a change of this RECORD. I was in hopes he would be more specific, at least that he would give the reporters the benefit of having made possibly a mistake. The gentleman was too perturbed on that occasion to be a good witness on this occasion. He does not remember that from the right-hand side of this aisle, as well as the left, so many voices were heard bidding him a joyful good-by when he got through with his remarks. [Laughter.]

Now, Mr. Speaker, I say the gentleman was too much excited and perturbed to be a good witness as to the remarks made with which I have been given credit in the RECORD, and as far as the willingness of the gentleman from Arkansas to allow the remarks to remain in the RECORD, I wish to say I desire them to remain because they were veritably said, and I do not care whether the words "great applause" are stricken out or not.

Now, Mr. Speaker, I will ask for a correction of the RECORD of the day following in another respect.

The SPEAKER. This matter ought to be disposed of first. Is there objection to the request of the gentleman from Arkansas to strike out the words "great applause?"

Mr. MACON. Mr. Speaker, I would like to ask the gentleman from Colorado a question, and that is, whether he really uttered these words in the House, and whether or not the applause followed the words after they were uttered?

Mr. RUCKER of Colorado. How is that?

Mr. MACON. I want to ask the gentleman if he really uttered this language in the House; and if so, if it was followed by "great applause?"

Mr. RUCKER of Colorado. In answer to that, Mr. Speaker, I will say that there was applause, but I do not say it was applause by reason of what I said. There was applause continually throughout the colloquy between the gentleman from Arkansas and myself.

Mr. MACON. Did the gentleman say what he is reported to have said?

Mr. RUCKER of Colorado. I did say it.

Mr. MACON. Then I will ask the gentleman if he recognizes these handwritings on this piece of paper. It does not seem to be that of any of the official reporters of debates, and they say they did not take down, hear, or write a single word that the gentleman represents to have uttered on this floor in regard to this matter that I have asked to have stricken out, and hence I am at a loss to know when and where he said it.

Mr. RUCKER of Colorado. I do not recognize the handwriting.

Mr. MACON. It is in two different handwritings.

Mr. RUCKER of Colorado. I recognize neither one of them.

Mr. HARDWICK. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded.

Mr. MACON. This is the regular order, Mr. Speaker.

The SPEAKER. The gentleman presents a matter affecting the privileges of the House touching the CONGRESSIONAL RECORD. The gentleman will proceed in order.

Mr. MACON. The writing at the top of the sheet is in one hand and reads as follows:

Mr. RUCKER of Colorado—

Then comes the following in a different hand—

I hope that the gentleman from Arkansas in his anxiety will for the present withhold his resignation, so that his constituents may at the next election write it for him—

And the words "great applause" in brackets seem to be in a different handwriting to both of the others. [Laughter.] I can not trace the author of either, because I do not know either

handwriting; but, as stated, the official reporters of the House tell me that they did not take down or write a single word that I am now asking to have stricken from the RECORD, and hence they are not entitled to a place in the RECORD.

The SPEAKER. Will the gentleman submit a motion or a resolution in the premises?

Mr. MACON. My motion is that the RECORD be corrected by striking out—

The SPEAKER. Striking out the words just read?

Mr. MACON. Yes, Mr. Speaker, they not having been uttered upon the floor of this House. The "great applause" especially do I want stricken out. [Laughter and applause.]

The SPEAKER. The question is on the motion of the gentleman from Arkansas to strike from the RECORD the matter to which he refers.

The question was taken, and the motion was agreed to.

APPOINTMENT OF COMMITTEE ON JUDICIARY.

Mr. RANDELL of Texas. Mr. Speaker, I rise to offer a privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Speaker be respectfully requested and instructed to appoint, in accordance with the rules adopted by the House of Representatives, the members of the Committee on the Judiciary.

Mr. MANN. Mr. Speaker, how does this resolution come up?

The SPEAKER. Without objection, the resolution will again be reported.

There was no objection, and the Clerk again reported the resolution.

Mr. MANN. Mr. Speaker, is this matter presented as a matter of privilege?

The SPEAKER. Relating to the organization of the House, it seems to the Chair that it presents a question of privilege.

Mr. MANN. Then I move to lay the resolution on the table.

The SPEAKER. The gentleman from Illinois moves to lay the resolution on the table.

Mr. CLARK of Missouri. Mr. Speaker, how did the gentleman from Illinois get the floor for that purpose?

The SPEAKER. By virtue of the privilege of the motion which he makes.

Mr. CLARK of Missouri. I know, but the gentleman from Texas has the floor on a question of the highest privilege.

The SPEAKER. The gentleman from Texas had the floor to offer a privileged resolution. Pending that, the House, under the rules, has an opportunity before the gentleman from Texas was recognized for debate, to test the sense of the House on this motion, under the rules. That has been frequently held at this session and former sessions by all Speakers.

Mr. RANDELL of Texas. Mr. Speaker, I would ask the gentleman to withhold his motion for a moment.

Mr. MANN. I think it is a matter we might as well vote on one time as another.

Mr. RANDELL of Texas. Mr. Speaker, I admit that under the rules the motion to lay upon the table is proper, because otherwise the House could not control its time; but it seems to me it is not necessary to be so careful in reference to the matter of time. A roll call will take more time than I desire to use in speaking. I want only a few minutes on the subject, and I ask the gentleman to withhold his motion to lay upon the table.

Mr. MANN. I am perfectly willing to withhold the motion to lay upon the table if the gentleman withholds his resolution.

Mr. RANDELL of Texas. Mr. Speaker, I ask unanimous consent that I may be permitted to discuss this resolution for ten minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent that he may address the House for ten minutes respecting this resolution. Is there objection? [After a pause.] The Chair hears none.

Mr. RANDELL of Texas. Mr. Speaker, at the present session of Congress I have introduced two bills, which have been referred to the Judiciary Committee because it is the one having jurisdiction of the subject to which they relate. It is necessary that the committee be appointed, in order that it may consider these bills and report them back to the House. The bills are as follows:

A bill (H. R. 11775) to prohibit the giving or receiving of gifts by certain corporations to Members of the United States Congress and to judges of the United States courts, and prescribing penalties therefor.

Be it enacted, etc., That it shall be unlawful for any railroad company, or sleeping car, dining car, steamboat, express, telegraph, or telephone company, or any company incorporated by act of the Congress of the United States, or any corporation or firm engaged in interstate commerce, to give to any Senator or Representative of the Congress of the United States, or to any judge or justice of any court of the United States, any free transportation of person or property, or frank, franking privilege, or money, or other thing of value; and any company or

person violating any of the provisions of this section shall be punished by fine of not less than \$100 nor more than \$5,000 for each such offense; and any officer or agent of such company or companies who shall violate any provisions of this section shall be punished by fine not to exceed \$5,000, or by imprisonment in the penitentiary for not less than six months nor more than two years, or by both such fine and imprisonment.

Sec. 2. That if any Senator or Representative in the Congress of the United States, or any judge or justice of any court of the United States, shall receive from any railroad, steamboat, sleeping car, dining car, or express company, telegraph or telephone company, or any company chartered by an act of Congress, or any corporation or firm engaged in interstate commerce, or officer or agent of any such firm, company, or companies, any free transportation of person or property, or any frank or franking privilege or gift of money or other thing of value, he shall be deemed guilty of a high misdemeanor, and on conviction thereof shall be punished by fine not to exceed \$1,000, or by imprisonment not to exceed one year, or by both such fine and imprisonment, and shall forever be barred from holding office under the Government of the United States.

A bill (H. R. 11774) making it unlawful for a Senator or Representative in the Congress of the United States, or any such Senator or Representative elect, to receive employment or compensation as officer, agent, representative, or attorney from certain corporations or persons and prescribing penalties therefor.

Be it enacted, etc., That it shall be unlawful for any Senator or Representative in the Congress of the United States during his term of service, or for any such Senator or Representative elect, to directly or indirectly hold or take any office, employment, or service, or to receive any salary, fee, or pay as officer, agent, representative, or attorney from any national bank, railroad company, or ship, express, telegraph, telephone, or sleeping-car company, or any public-service corporation, or any corporation chartered by an act of Congress of the United States, or any firm, company, or corporation organized or conducted in violation of the antitrust laws of the United States, or that is charged with or has been convicted of a violation of any of the antitrust laws of the United States, or any corporation engaged in interstate or foreign commerce, traffic, or business, or commerce or business between any Territories, or any State or Territory, or between the District of Columbia and any State or Territory of the United States or any foreign power, or any person, firm, or corporation interested in legislation or other business of Congress, existing or anticipated.

Sec. 2. That any Senator or Representative in Congress violating any of the provisions of this act shall be deemed guilty of a high misdemeanor, and upon conviction shall be punished by a fine of not less than \$100 nor more than \$5,000, and by imprisonment of not less than one month nor more than one year, and shall forever be barred from holding any office of honor or trust under the Government of the United States.

Mr. Speaker, during my service in Congress I have constantly advocated the enactment of a statute prohibiting the Congress and the courts from receiving valuable gifts, employment, or compensation of any kind from public-service corporations, trusts, and persons engaged in interstate commerce, or having an interest in legislation. Session after session I have introduced and urged the passage of bills, and amendments to the penal code, to accomplish this purpose. The opponents of such legislation have so far prevented the passage of such a law, and have suppressed, as far as they could, even the discussion of such measures on the floor of the House.

We have at last come to a great crisis in the history of American legislation. The Congress finds itself impotent to perform its duties as Representatives of the American people, and are floundering in the toils of powerful special interests that, by some means, are evidently in control of the law-making power. Looking the facts squarely in the face, the conclusion forced upon us causes a blush to mantle the cheek of every patriot and self-respecting man. The condition confronting us squarely demonstrates that no man can serve two masters. There never was a time when the necessity for disinterestedness in legislators was more clearly apparent.

It is a pitiable but an uncontrovertible fact that the disinterested and faithful servants of the people are helpless in the present contest against the organized plunderers of the Nation's wealth. Who in this Congress can withstand the brute force of the iron duke? Where is the power that can successfully cope with the slippery scheming of the oil barons? What chance has the humble home builder in the face of the victorious battalion of the lumber lords? Of what is the appeal of the oppressed and struggling masses, or the plea from poverty in every State? How can the Congress take the shackles from the hands and feet of labor and open the door of opportunity alike to all our people? The answer is plain. The beneficiaries of special interests, entrenched in power and firmly combined with the dominant political party, openly deride the American people and brutally demand the pound of flesh. If this Judiciary Committee can be appointed, the Congress can pass these bills that will sever the connection of the servants of the people from the interests that now control us. It will be a long step toward the accomplishment of every patriot's desire, the return of honesty, justice, and the principles of equality in the legislative department of the Government. The cost of living can be reduced. The necessities of life can be had at reasonable rates. Taxes can be assessed in accordance with honesty and equality, and real prosperity will be established throughout the length and breadth of the land. Let us break the shackles,

burst the bonds, purify the Congress, and consecrate ourselves as the servants of the people to the performance of the duties that have been trusted to us. [Applause on the Democratic side.]

The present state of affairs can not last. Revolution will come. I trust that in the mercy of God it may be a peaceful one—a revolution at the ballot box. If you refuse to act, if you close your eyes to the situation and turn a deaf ear to the voice of a pleading public, the people will take this matter in hand and hurl from power the traitors who have betrayed them, including those who have stood silently by and permitted the degrading wrong that will stand in history as a monument to the perfidy of this Congress. It is time that officers, agents, representatives, and attorneys of parties interested in legislation should be forced to cease such employment or be driven from the halls of Congress. Then, and not until then, we can pass a tariff bill and enact remedial legislation consistent with the rights, the honor, and the great name of the American people. [Loud and continued applause on the Democratic side.]

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. MANN] to lay the resolution of the gentleman from Texas [Mr. RANDALL] on the table.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Division, Mr. Speaker.

The House divided; and there were—ayes 151, noes 100.

So the motion to table was agreed to.

CORRECTION OF THE RECORD.

Mr. RUCKER of Colorado. Mr. Speaker, I desire to have a correction made in the RECORD. On July 20, as shown on page 4571 of the RECORD, when the amendment of the gentleman from Pennsylvania [Mr. OLMSTED] was before the House, it was objected to by some Member upon our side. I was in hearty sympathy with the amendment. I was out of sympathy with the objection that prevented a vote being taken upon it. It had for its object the reimbursement of employees of this House and those of the Senate for traveling expenses, and I was particularly, Mr. Speaker—

Mr. MANN. I rise to a question of order. What is the privileged matter?

The SPEAKER. The question arises of a matter of privilege in the House. The gentleman should state it. We are in the habit of calling attention to a correction of the RECORD pro forma, but if objection is made, the gentleman should state or present a motion or a resolution covering the correction he desires to make.

Mr. RUCKER of Colorado. Mr. Speaker, I was not in the Chamber at the time the discussion was going on concerning that item, and therefore could not have said what I am reported to have said.

I am here put down as having stated: "Mr. RUCKER of Colorado. This will be renewed at the next session." I desire that that be stricken out, because it was not my language. Had I been present, Mr. Speaker, upon that occasion, instead of using those words when the question came up about the reimbursement for traveling expenses of these employees, I might have referred to the fact that there was a Member upon this floor who was drawing \$471.40 as traveling expenses more than the railroad fare from his home to the city of Washington and return.

The SPEAKER. The Chair understands the gentleman to move to strike out the language that he read.

Mr. RUCKER of Colorado. Yes, sir. The language reads:

Mr. RUCKER of Colorado. This will be renewed at the next session.

The SPEAKER. The gentleman moves as a matter of privilege to strike out the language which he has just read.

Mr. RUCKER of Missouri rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUCKER of Missouri. I want to amend the motion of the gentleman from Colorado by striking out "Colorado" and inserting "Missouri." I believe that the gentleman from Illinois [Mr. MANN] was interrogating the author of the motion, and I remarked, not to the reporter, although I said it, that this same motion would be made at the next session of Congress; in other words, that if we had to have a dozen sessions during one year somebody would come in with a motion to give every employee of the House on the roll an extra month, and might give them twenty-four months in every year.

The SPEAKER. The gentleman from Missouri [Mr. RUCKER] moves a substitute to the motion made by the gentleman from Colorado [Mr. RUCKER] to strike out in the RECORD, at the place indicated, the word "Colorado" and insert the word "Missouri." The question is on agreeing to the substitute.

The question was taken and the substitute was agreed to.

SOUTHERN DISTRICT OF GEORGIA.

Mr. GRIGGS. Mr. Speaker, if we have finished amending the RECORD, I would like to ask unanimous consent to take up the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of the following bill. The Clerk read as follows:

A bill (H. R. 11797) to attach Ben Hill County to the Albany division of the southern district of Georgia.

Be it enacted, etc., That the county of Ben Hill, in the State of Georgia, be attached to the Albany division of the southern district of Georgia.

Mr. GRIGGS. Mr. Speaker, I will say to the gentleman that it is a matter of great inconvenience to the people of the county of Ben Hill, which was constituted by the legislature of Georgia last year, to attend court at Savannah, several hundred miles away, rather than at Albany, which is 40 miles distant and in direct connection.

Mr. MANN. Is it a mere matter of convenience to the people? Mr. GRIGGS. It is a matter of convenience to the people, and of economy to the Government and economy to the litigants.

Mr. MANN. Why was it not brought up by the gentleman, always looking after the interests of his constituents, at the last session?

Mr. GRIGGS. It is not in my district. It is in the district of the gentleman who represents the third district of Georgia, and his people brought it to our attention. This is the first opportunity that we had. It is his first term in Congress, and first session.

Mr. BARTLETT of Georgia. I would state to the gentleman from Illinois that Ben Hill County is a county which has only recently been established in the district, and now the trouble is to know in what district it is.

Mr. GRIGGS. That is true. My colleague has stated the situation exactly right.

Mr. MANN. I understand, then, that this new county is a county constituted out of several old counties?

Mr. GRIGGS. Yes, sir.

Mr. MANN. And those old counties were in a different district?

Mr. GRIGGS. My information is that it is in the same district.

Mr. MANN. One in the district and another not in the district?

Mr. GRIGGS. It is in the same district, but unattached as yet to any district.

Mr. MANN. But the whole State is divided into districts?

Mr. GRIGGS. This is a new county. If my friend will permit me, it is the same judge.

Mr. MANN. Let me ask the gentleman, What is the effect of this proposition upon legislation now pending?

Mr. GRIGGS. It simply transfers the litigation to Albany, 40 miles distant. I think it has no other effect on any litigation.

Mr. MANN. Has the gentleman investigated the matter to see whether it is necessary in legislation of this kind to provide for litigation which is now pending or offenses which have been committed?

Mr. GRIGGS. Why, no; I have not.

Mr. MANN. I think it is the custom to make some such provision.

Mr. GRIGGS. It would not have any effect in this matter, because it is before the same judge in the same district and simply transferred to this division.

The SPEAKER. Is there objection?

Mr. MANN. Supposing an offense has been committed in the other district?

Mr. GRIGGS. It is not in a different district. I have said to the gentleman from Illinois it is the same district with the same judge. It is simply another division of the same district.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

REPORTS OF INDIAN INSPECTOR CYRUS BEDE.

The SPEAKER laid before the House the following message from the President of the United States (H. Doc. No. 90), which was read, referred to the Committee on Indian Affairs, and ordered to be printed:

To the House of Representatives:

On June 14 your honorable body passed the following resolution:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to the House of Representatives, if not deemed

Inconsistent with the public good, a copy of all reports of Indian Inspector Cyrus Bede on the conduct of J. Blair Shoenfelt while Indian agent at Union Agency, located at Muskogee, Ind. T., which said reports were made during the year 1904 or 1905.

Under date of June 18 the Secretary of the Interior submitted to me the following statement:

MY DEAR MR. PRESIDENT: Inclosed is a copy of a resolution adopted by the House of Representatives, June 14, 1909, calling for certain reports of Indian Inspector Bede, as the result of an investigation as to the conduct of affairs at Union Agency, Ind. T., while in charge of J. Blair Shoenfelt, as agent. Such reports are of a confidential nature and, as a rule, should not be made public. In this particular case there was a joint investigation by Inspectors Jenkins and Bede, resulting in separate reports, the inspectors disagreeing as to the conclusions to be drawn from the facts ascertained. One of these reports alone does not fairly present the matter.

The reports comment on 87 employees of the agency by name, and involve, to some extent, the conduct of other officers than those connected with the agency. I feel that it would not be consistent with the good of the public service to make these reports public, not only because of the effect of such action upon the work of the department, but, also, because the matter involves so many people other than the agent specifically named in the resolution.

I would be glad to have your advice in the premises. For your convenience I am inclosing a memorandum covering the main point presented in the two reports of Inspector Bede and Inspector Jenkins, as the result of their joint investigation.

Very respectfully,

R. A. BALLINGER,
Secretary.

In view of the facts stated by the Secretary of the Interior, I feel that it would not be consistent with the public good to give publicity to these reports, and therefore have advised the Secretary of the Interior not to transmit them, as requested.

WM. H. TAFT.

THE WHITE HOUSE, July 23, 1909.

INCOME TAX.

Mr. BARTLETT of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution which I send to the Clerk's desk.

The Clerk reads as follows:

House concurrent resolution 20.

Resolved by the House of Representatives (the Senate concurring), That the President of the United States be, and he is, requested to transmit forthwith to the executives of the several States of the United States copies of the article of amendment proposed by Congress to the state legislatures to amend the Constitution of the United States, passed July 12, 1909, as contained in Senate joint resolution No. 40, providing that "the Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration," to the end that said States may proceed to act upon the said article of amendment; and that he request the executives of each State that may ratify said amendment to transmit to the Secretary of State a certified copy of such ratification.

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Georgia if this resolution has not been referred to the Committee on Ways and Means.

Mr. BARTLETT of Georgia. It has; yes.

Mr. MANN. That committee has power, of course, to report at any time. It seems to me that the fair thing would be—

Mr. BARTLETT of Georgia. The gentleman from Illinois knows that the committee will not hold a meeting for some time, if at all this session. I have stated once before, and I will state to the House again, that there are some legislatures of the States now in session—that in my own State is now in session—and it is desired, I apprehend, by everyone in favor of the amendment adopted by Congress that this resolution should be submitted to the States as early as practicable.

Mr. MANN. May I ask the gentleman from Georgia if he thinks it makes any real difference whether this resolution is passed or not? If the state legislature of Georgia should pass the necessary resolution ratifying this amendment, would it not be good without having received this notice?

Mr. BARTLETT of Georgia. I think, answering the gentleman candidly, that the legislature would be authorized to take, so to speak, judicial notice of the passage of the resolution by Congress, as it would be authorized to take judicial notice of the passage of any public act by Congress; but this is the course that has usually been pursued in the adoption of amendments to the Constitution when they were submitted to the States. The act of 1798 providing for the promulgation of the action of the legislatures of various States upon amendments to the Constitution of the United States by the Secretary of State did not provide the manner in which they should be submitted to the States, did not provide the machinery, but it simply provided by section 205 of the Revised Statutes that when the States shall ratify any amendment submitted to them by Congress the Secretary of State shall promulgate it by publication in the manner prescribed in the statute. Now, it may be said that it was intended by those who framed the law that it was not necessary, and yet I find on investigation that amendments to the Constitution have been submitted to the States by this sort of resolution. That is especially true of the thirteenth, four-

teenth, fifteenth, and, I believe, of the eleventh amendment, and this is simply following the precedents that have prevailed for many years in the adoption of amendments to the Constitution. The other rule may be true, but it has not been accepted, and this course which I propose to follow is the one that has been accepted and acted upon.

Mr. MANN. While I agree with the gentleman from Georgia that perhaps a resolution of this sort ought to pass, without having any special knowledge on the subject, yet the resolution is pending before the Committee on Ways and Means, and we understand that a large number of that committee, including the chairman, are working in conference, and it seems to me fair that those gentlemen should have an opportunity to consider the matter and be heard.

Mr. BARTLETT of Georgia. I spoke to the chairman of the Ways and Means Committee and he did not express any objection to it. He told me to consult the Speaker; and if agreeable to him, he saw no objection to it.

Mr. MANN. I may say that I spoke to the chairman of the Committee on Ways and Means and he told me that he had not investigated the subject, and did not feel like expressing any opinion on it. It seems to me, on a matter so important as this of submitting a constitutional amendment, that we ought to be sure, if we take a step, that the step is correct, and, while I have great faith in the ability of the gentleman from Georgia to prepare a resolution, still I would not take the judgment of any one person on a matter of this sort where we have a committee to deal with it, and I hope the gentleman from Georgia will withdraw the resolution.

Mr. BARTLETT of Georgia. I can not withdraw it.

Mr. MANN. If the gentleman will not withdraw it, but forces me into the position of objecting to it, I will object.

Mr. BARTLETT of Georgia. I do not desire to put the gentleman from Illinois in any position that he does not desire to be put in, and following his suggestion, Mr. Speaker, I will withdraw the request for the present.

Mr. MANN. I am very much obliged to the gentleman from Georgia, because I do not like to object to something that possibly I am in favor of.

PORTO RICO.

Mr. LARRINAGA. Mr. Speaker, I ask unanimous consent of the House to be heard a few minutes on a very important communication from the people in my country.

The SPEAKER. The gentleman from Porto Rico desires to address the House on matters pertaining to Porto Rico.

Mr. TAWNEY. For what length of time?

Mr. LARRINAGA. For ten minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. LARRINAGA. Mr. Speaker, while the Porto Rican bill was being considered in the House a few weeks ago, several gentlemen on both sides expressed their opinion in respect to the bill, some supporting it and others opposing it. There was, however, one gentleman upon this side of the House who rose and made such statements about Porto Rico, such unfair, unjust, and inaccurate statements—at least, I read them so in the RECORD, for I never heard them on the floor of the House, where I was ready to answer the arguments given in favor of the bill, as I did. When I read those remarks in the RECORD I made up my mind to answer them at the next session. But the next session, Mr. Speaker, as every Member knows, took place on the 10th and lasted only eleven minutes, barely the time spent in the prayer and the reading of the Journal; the following session took place on the 14th and lasted nine minutes, and so on. Under the circumstances, I began to despair of any chance of my having an opportunity to give a full answer to the utterances of that gentleman, and at times I thought if, under the circumstances, it was not more patriotic to ignore such misrepresentations, which, in fact, were not worthy the honor of an answer, than to keep up for a longer time the natural resentment of the people of the island by starting anew a controversy over such worthless information.

Mr. Speaker, I yield to no man in this House or anywhere else in the discharge of my duty. Nothing in this world could be sufficient to deter me from the fulfillment of my duty or the defense of my people.

But, Mr. Speaker, now comes a new element in the case that I can not ignore—a good element—that element which in Porto Rico is making for the true Americanization of the country; that element which is found in the good American colony there, amongst people who do not hold offices and are in no way interested in sustaining the present political status of Porto Rico, to which the native element objects. I feel that it is my duty to recognize that element here and to the best of my ability and by all means in my power give it the recognition

that it deserves, and bring before this Congress and before the American people the true facts about this controversy. I am going to read now a letter upon this subject which has been published in the newspapers in Porto Rico, as an answer of the American element to the gentleman from Colorado:

AN ANSWER TO RUCKER.

[From the Porto Rico Eagle.]

The following letter sent by the well-known lawyer of this city, Mr. Harry P. Leake, to Mr. A. W. RUCKER, Member of Congress for the State of Colorado, is a forcible refutation of RUCKER's silly and malicious speech in Congress during the discussion of the Porto Rican bill, and a stinging rebuke for his vulgar insults to the entire population of this island. Mr. Leake expresses the unanimous sentiment of the American element resident in Porto Rico.

PONCE, July 4, 1900.

HON. ATTERTON W. RUCKER,
Member of Congress, Washington, D. C.

SIR: Some one has sent me under your frank a copy of your speech made in the House on June 7 in regard to the Porto Rican bill. As your speech was made publicly and then printed and circulated, it has occurred to me that some criticism of it and some protests against it should be made by an American and a Democrat who has lived in Porto Rico for ten years and who knows the people and respects them.

In some matters you are misinformed, in others you have plainly exaggerated, and as a whole you have used no tact in discussing the question. We are accustomed to have tourists visit us and then go home and write a large book of inaccuracies about the island and its people. This has become matter for a joke amongst us, and we define a tourist as a "person who travels for pleasure and writes fiction." Not all tourists are of that class. It never occurred to anybody here, however, that a Member of Congress could make a special trip to Porto Rico to inform himself as to the conditions here and then go home and make the unfortunate speech you made. It was more ridiculous because you took occasion to jeer at other Members because, not having made a trip to Porto Rico, they were not possessed of the information you claimed to possess. I do not believe there is a person on this island who commends your speech. All the Americans with whom I have talked condemn it and regret it. From a statesman's point of view the speech was worthless, and as an effort to show your knowledge of the subject under discussion it was pitiful. Your speech must have been inspired by a desire to appear smart and funny before the House, and it was uttered in unfairness and ignorance. Readers of the CONGRESSIONAL RECORD know that many Members of Congress prefer to make exaggerated statements and factious arguments and gain a little applause and a little laughter than to be careful about their facts. Your speech was not taken seriously by the House, but it was here. Of course, nobody here objects to a fair discussion of the political situation in all its phases. That has to be discussed and settled by Congress, but we do object to useless and untruthful criticism of matters that have nothing to do with the political situation.

It was a cheap thing for you, an American, a Democrat, a Member of Congress, a quibbler for equality, a lawmaker, an orator, a man of mature years, to come to Porto Rico, accept the hospitality of this island for a few days, and then go into the House and state that the children here go naked to the age of 10 or 12 years and their food consists mainly of the windfalls of fruit and refuse if they can beat the dog or the hog to it. Your ignorance is only equaled by the brutality of your expressions. Your remarks applied to the whole of the population in the country districts and convey a most false impression of the conditions here. Children of 10 or 12 years do not go naked anywhere, except when they take a bath. I never saw or heard of even an isolated case where the subsistence of a child depended upon his wrestling rotten fruit or refuse from a hog or dog. Very little children are sometimes seen naked in or near the houses in the country, but no one is shocked by such a sight nor is any comment made on it. It is not against public morals and is good for the child's health, and no one but a person of narrow perceptions would carry that fact in his mind, exaggerate it, and then use it as an argument before a body of lawmakers on a political question.

It was a little and cowardly thing for you to libel all the inhabitants of Porto Rico by the false statement that "marriage among the natives is still a luxury indulged in by very few, but race suicide is not seriously threatened." You conveyed clearly the idea that only a small proportion of this population is married, while the great majority are living in a state of concubinage or free love. Nothing is farther from the truth, and if you had been as diligent in searching for facts as you have been in making a deceptive, sophistical, and specious argument, your contribution to the CONGRESSIONAL RECORD would have been more accurate, fairer, and more palatable for home and foreign consumption. Suffice to say that marriage is an institution that obtains here as it does in Colorado, and that the proportion of people legally married is about the same as that in any other part of the world. The home is as sacred as it is in your own State.

You grew eloquent over your misstatement that few people wear shoes, but you took your statistics from the year 1896, thirteen years ago. And your argument proves nothing and leads to nothing. Wearing shoes, or wearing coats or collars or cravats, is generally optional with the wearer. If he goes to a party, he wears them as a matter of convention; if he is working in his field or around his house, he can dispense with one or all of those articles and nobody is insulted or astonished, and the man is nevertheless a good citizen. For your information I will say that in late years most of the inhabitants of the island wear shoes, not as a matter of comfort, but because of the fact that it is known that the anemia germ generally enters by way of the bare foot. The most of those shoes are made here in the country.

Your innuendo to the effect that the ladies here are indifferent about the price of hosiery, meaning that hosiery is an article not extensively used by them, is an astonishing and disgusting statement to come from a prominent man. You got a cheap laugh for it, and I suppose you prize the laugh more than you do your own veracity, if you have any. As a politician you would not have dared to make that statement about the ladies of your own State; as a gentleman you should not have allowed yourself to make it about any ladies. If it is untrue as to the women of Colorado, it is equally untrue of the women here.

The conclusions that you draw from your lurid historical data are erroneous. If it is true that Ponce de Leon's soldiers were a tough lot—as most soldiers were in those days—and that they cohabited with the Indian women found here, and that afterwards there was an admixture of negroes, French, English, and South Americans, what does that prove as to the capacity of the present inhabitants, under our form of government, to demonstrate their ability to be good citizens? Your inference

was, of course, that our present population are the direct descendants of that "delectable crew of pirates," as you call Ponce de Leon's soldiers, and that they have inherited all the vices and shortcomings of their ancestors. It is a specious and slanderous argument. If such fact is true, then the present inhabitants of the States of Florida, Mississippi, Louisiana, Texas, New Mexico, California, and other sections in the United States must be of precisely the same breed, for those territories were taken and settled by the same class of "piratical" Spaniards as Ponce de Leon and his crew, and some of the laws and customs of those old adventurers have survived in those States to this day.

Because Colorado and other western States were first entered and settled by the worst lot of desperadoes, bandits, escaped criminals, and prostitutes that the world ever saw is no reason for us to attribute that lineage to you because you happen to live in Colorado to-day, and to claim that you and the present inhabitants of your glorious State have inherited the attributes and defects of those old settlers and therefore should not enjoy the government you do enjoy.

There are too many inaccuracies in your speech to be commented upon in this short letter. Your statement as to your purchases at a store in San Juan in company with a most distinguished and excellent lady whose name you had no authority to mention, and your alleged experiences in the French Hotel at Ponce, where I have lived for five years and where I have sometimes seen some very common people, are too puerile to mention, except to say that you desire to appear witty at the expense of truth and to the hurt of an inoffending people. You would be mightily insulted if some one went to your State and judged your whole people by the loafers and bootblacks and by the dirty and uncouth of which every community has a share.

Your remarks as to the political situation were not much of a contribution, but I do not intend to discuss politics in this letter. It may occur to you about this point to inquire what business this is of mine and why I should be so sensitive about your unfortunate speech. Will you do me the honor to believe that I am as good an American as you are, as good a Democrat, as fair and impartial in my judgments, and as desirous to see justice done as you are? I thank you. Then will you also concede that having lived in this island for ten years, and being possessed of a knowledge of the people and their customs, I am competent to judge of them? And, further, if you will realize that having lived amongst them so long I have a sympathy and affection for them, you will see the reason for my writing this letter. In writing it I am confident that I voice the sentiments of every American on this island when I say that your speech was crude, unjust, unnecessary, brutal, and served no end, except perhaps to gratuitously insult a whole people for the mere pleasure of turning a phrase to earn a little idle laughter. If you do not know, then you must be told—and I hope the statement will percolate into your consciousness until at last you are convinced of the fact—that this community, as every other community in the world, is made up of all kinds of people, but as a rule these people are kindly and well disposed toward Americans, and are anxious and willing to themselves be recognized as citizens of that great Republic which all admire and which the majority of them love and reverence.

If there has been some anti-American talk on the part of a handful of politicians, it is because, fatuously, they have adopted that as a new political fad, but it will soon wear out, for that sentiment does not exist in the real hearts of the people. There are thousands of men here who are perfectly qualified to become citizens of the United States and of any State in the Union, for they are educated, law-abiding, and have a sincere desire to be citizens of that great Republic. There are thousands of others, less educated and refined, but just as law-abiding and as earnest in their efforts toward advancement, who would make good citizens.

If you not know it, you should be informed that on this island there is a great percentage of native people who are well bred, educated, and perfectly charming in manner, and whose homes are the centers of virtue and refinement; and there is another large number of people whose sons and daughters will be educated and who will in time form the citizenship of this community. There are men here, in every little community on the island, who possess all the civic virtues, and women whose virtue, grace, and loveliness can not be surpassed in the whole world. It is these people whom you have slandered in your ill-considered speech.

You should also know that by reason of long contact there exists between the native, the European, and the American a mutual forbearance toward one another, and that each, in his own way and fashion, endeavors to be courteous and just to the other. The Americans have idiosyncrasies and habits of which the natives do not approve, and the natives have their own little mannerisms and idiosyncrasies which are different from ours, but each recognizes in the other many good traits and characteristics, and to-day, as a general rule, there is a constant endeavor on the part of islander and continental to understand each other, to overlook, without comment, the little peculiarities of each, and to arrive at a friendly understanding based upon respect, forbearance, and affection. Your speech tends to confuse and weaken those relations, and it is especially to be regretted on that account.

Permit me to say that you should be better informed on the subject before you make another speech about Porto Rico; that when you are in doubt you should give these people the benefit of the doubt; that you should enter no "special plea" and should confine your testimony to no one point, but should be catholic in your views and the scope of your remarks, giving, impartially, all sides of the question; and that you should first consult your conscience before maligning a whole people as you did in your speech. If the President sends a commission to this island, it is to be prayed that he will not select men who "having eyes refuse to see, and having ears refuse to hear."

Very respectfully,

HARRY P. LEAKE.

Mr. Speaker, it is this kind of work, this constant misrepresentation of our people, that has been steadily working during the last ten years to mar the good feeling and friendly understanding between the American and the native elements in the island. The purpose of these people is to destroy this good feeling so that conditions on the island may be productive of disagreeable occurrences, creating in the end an anti-American feeling in the country. They wish to have this Government prejudiced against favorable legislation, that may endanger the prospects of themselves or their friends or relatives from holding their offices much longer. This is the bone of contention. The present attitude of the independent part of the American element, such as is expressed in this letter, helps

a good deal to counteract the spreading of that feeling. But, Mr. Speaker, in all such cases it occurs that the good element keeps aloof from such controversies while the mischievous one keeps up a constant agitation, and we all know that one or two men in a crowd often succeed in creating a disturbance against thousands who keep quiet and are not looking for trouble.

The continuance of the present system is the issue. Remove that by giving a more liberal government to the island and all this campaign of slander, such as was carried on by a few interested parties during the months of February, March, April, and June, when the bill was before Congress, will stop.

The good feeling and thorough understanding between the native and American elements, which always prevailed from the landing of the Americans in the island, will be strengthened for the benefit of all concerned in the good name of the Nation and the happiness and prosperity of the small possession.

This, Mr. Speaker, is my only concern in the case. Petty attacks, which I despise, should be overlooked by every patriotic American or Porto Rican, whether in the island or in this country.

Neither do I wish, Mr. Speaker, by my preceding statement to convey the idea that the unfair attacks upon our people came solely from a few interested Americans; there are also some Porto Ricans interested in the game. Both these elements are those which find no favor on the part of the people, and they will also be swept out of existence, leaving the country at large to work out its own salvation for the good and honor of both the small country and this great Nation.

ADJOURNMENT OVER.

Mr. TAWNEY. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Tuesday next, July 27, 1909.

The motion was agreed to.

Mr. TAWNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 5 minutes p. m.), the House adjourned until Tuesday, July 27, 1909.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Interior, submitting a recommendation as to legislation affecting the bonds of Indian agents (H. Doc. No. 88)—to the Committee on Appropriations and ordered to be printed.

A letter from the Acting Secretary of the Interior, transmitting copies of the laws and journals of the thirty-eighth legislative assembly of New Mexico—to the Committee on Territories.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BATES, from the Joint Select Committee on Disposition of Useless Executive Papers, to which was referred the reports of the heads of the departments, reported the same, accompanied by a report (No. 16); which said report was referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 11787) for the retirement of aged or disabled employees in the civil service of the United States—to the Committee on Reform in the Civil Service.

By Mr. POINDEXTER: A bill (H. R. 11788) to authorize William G. Tait to construct a bridge across Okanogan River—to the Committee on Interstate and Foreign Commerce.

By Mr. CAMPBELL: A bill (H. R. 11789) amendatory of existing laws regulating the sale of intoxicating liquors in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 11790) to provide a pension for survivors of the late war of the rebellion, and for other purposes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11791) to establish in the Department of Agriculture a bureau to be known as the bureau of public highways, and to provide for national aid in the improvement of the public roads—to the Committee on Agriculture.

Also, a bill (H. R. 11792) granting pensions to ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 11793) to establish a national military park at Perryville, Ky.—to the Committee on Military Affairs.

Also, a bill (H. R. 11794) for the erection of a public building at Lawrenceburg, Anderson County, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. BYRNS: A bill (H. R. 11795) authorizing the Secretary of War to accept for the Government the Gallatin turnpike, from the city of Nashville to the national cemetery, in the county of Davidson, State of Tennessee—to the Committee on Military Affairs.

By Mr. CAMPBELL: A bill (H. R. 11796) suspending the patent and copyright laws of the United States when a patent or copyright or any article or product protected by patent or copyright is owned, used, or leased by any trust or monopoly in violation of any law in restraint of trade—to the Committee on Patents.

By Mr. WEEKS: A bill (H. R. 11798) to enable any State to cooperate with any other State or States or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers—to the Committee on Agriculture.

By Mr. SMITH of California: A bill (H. R. 11799) concerning patents—to the Committee on Patents.

By Mr. SMALL: A bill (H. R. 11800) to carry into effect the provisions of the act of Congress approved March 4, 1909, relating to surveys of waters of North Carolina where fishing is prohibited by law—to the Committee on Appropriations.

By Mr. PARKER: Resolution (H. Res. 94) amending Rules—to the Committee on Rules.

By Mr. MANN: Resolution (H. Res. 95) providing for a committee to make investigation concerning useless documents—to the Committee on Rules.

By Mr. LOVERING: Joint resolution (H. J. Res. 64) to provide for the transportation by sea of material and equipment for use in the construction of the Panama Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Memorial of the legislature of Illinois, relating to the improvement of the Mississippi River below St. Louis—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 11801) granting an increase of pension to Bruce Clifton—to the Committee on Pensions.

Also, a bill (H. R. 11802) granting an increase of pension to Samuel Keeble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11803) granting an increase of pension to William H. Tullock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11804) granting a pension to Sallie Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11805) for the relief of heirs or estates of William Kennedy and Mrs. Jane H. Kennedy, deceased—to the Committee on War Claims.

By Mr. BOEHNE: A bill (H. R. 11806) for the relief of the estate of Frederick P. Gray—to the Committee on Claims.

By Mr. BYRNS: A bill (H. R. 11807) for the relief of Frank Reed, administrator of the estate of James S. Reed, deceased, late of Davidson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 11808) for the relief of Baxter Smith, administrator of the estate of Hugh C. Jackson, late of Davidson County, Tenn.—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 11809) to extend the provisions, limitations, and benefits of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," to the surviving officers and enlisted men of Captain Beatty's company of independent scouts and to their widows and minor children—to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 11810) granting an increase of pension to Charles H. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11811) to grant authority to the Crosby Transportation Company, of Milwaukee, Wis., to change the name of the steamer *Naomi* to *E. G. Crosby*—to the Committee on the Merchant Marine and Fisheries.

By Mr. DAWSON: A bill (H. R. 11812) granting an increase of pension to William B. Milligan—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 11813) granting an increase of pension to Raleigh Mitchell—to the Committee on Invalid Pensions.

By Mr. DUREY: A bill (H. R. 11814) granting an increase of pension to Horatio Gilbert—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 11815) granting an increase of pension to Albert S. Kinsloe—to the Committee on Invalid Pensions.

By Mr. GALLAGHER: A bill (H. R. 11816) granting a pension to Henriette J. Nimmerguth—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 11817) granting an increase of pension to Henry Bedwell—to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 11818) granting a pension to Mary Sophie Josephine Brackelsberg—to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 11819) for the relief of Van Foreman—to the Committee on War Claims.

Also, a bill (H. R. 11820) for the relief of J. Knight Lowery, of Jessamine County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 11821) for the relief of John H. McBrayer—to the Committee on Claims.

Also, a bill (H. R. 11822) for the relief of A. Portwood—to the Committee on War Claims.

Also, a bill (H. R. 11823) for the relief of the estate of Alexander Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11824) for the relief of the estate of W. G. Cheshier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11825) granting an increase of pension to D. H. Goyen—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 11826) granting an increase of pension to Moses A. Stark—to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 11827) granting an increase of pension to Jonathan R. Miller—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 11828) to remove the charge of desertion from the military record of Jacob Fass—to the Committee on Military Affairs.

By Mr. LAFEAN: A bill (H. R. 11829) granting a pension to Evalina Imswiler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11830) granting an increase of pension to Henry Billmyer—to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 11831) granting a pension to Albert M. Thomas—to the Committee on Pensions.

By Mr. MORRISON: A bill (H. R. 11832) granting an increase of pension to George W. Carter—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 11833) granting a pension to Robert Whittaker—to the Committee on Invalid Pensions.

By Mr. SHARP: A bill (H. R. 11834) granting a pension to Elizabeth Neely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11835) granting a pension to Annis M. Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11836) granting an increase of pension to Samuel D. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11837) granting an increase of pension to Clarence L. Church—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11838) granting an increase of pension to Miles E. Hale—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 11839) for the relief of the estate of James H. Hyatt—to the Committee on War Claims.

By Mr. TOU VELLE: A bill (H. R. 11840) granting an increase of pension to Samuel F. Born—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11841) granting an increase of pension to Reuben Crider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11842) granting an increase of pension to William B. A. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11843) granting an increase of pension to William I. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11844) granting an increase of pension to Thomas Shrider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11845) granting an increase of pension to Peter J. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11846) granting an increase of pension to Andrew Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11847) granting an increase of pension to Jasper Williamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11848) granting an increase of pension to Samuel A. Nickerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11849) granting a pension to Philip Flath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11850) to remove the charge of desertion from the record of George T. Silvers—to the Committee on Military Affairs.

By Mr. WATKINS: A bill (H. R. 11851) for the relief of W. J. Hughes, of Bossier Parish, La.—to the Committee on War Claims.

By Mr. WILSON of Illinois: A bill (H. R. 11852) granting an increase of pension to Homer Day—to the Committee on Invalid Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 11853) granting an increase of pension to Henry D. Smead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11854) granting an increase of pension to William Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11855) granting an increase of pension to Charles H. Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11856) granting an increase of pension to Alpheus Johnstonbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11857) granting an increase of pension to John Ludwig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11858) granting an increase of pension to Joseph Fessenden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11859) granting an increase of pension to John Lyman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11860) granting an increase of pension to Isaac Shemery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11861) granting an increase of pension to John F. Burkhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11862) granting an increase of pension to John W. Corle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11863) granting an increase of pension to William C. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11864) granting an increase of pension to Turtellius B. O'Brian—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11865) granting an increase of pension to William F. Ott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11866) granting an increase of pension to Charles L. Leonhardt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11867) granting an increase of pension to Josiah Gurr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11868) granting an increase of pension to Thomas B. Heiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11869) granting an increase of pension to John L. G. Robbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11870) granting a pension to William T. East—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BATES: Petition of A. L. Dunbar Lodge, No. 142, Brotherhood of Railway Trainmen, of Meadville, Pa., against the corporation-tax amendment to H. R. 1438—to the Committee on Ways and Means.

By Mr. CARY: Petition of Merchants and Manufacturers' Bank of Milwaukee, Wis., for exemption of incorporated banks organized under national or state law from the corporation amendment to H. R. 1438—to the Committee on Ways and Means.

Also, petition of Miller Brewing Company, of Milwaukee, Wis., against article 6 in the proposed corporation-tax amendment—to the Committee on Ways and Means.

By Mr. CONRY: Petitions of Cigar Makers' International Union of America, A. B. Hess and others, and B. Ezra Herr and others, against free tobacco and cigars from the Philippines—to the Committee on Ways and Means.

Also, petition of National Association of Hosiery and Underwear Manufacturers, for the House rates on hosiery—to the Committee on Ways and Means.

Also, petition of American Newspaper Association, favoring reduction of duty on print paper—to the Committee on Ways and Means.

Also, petitions of the Chamber of Commerce of New York and of the Merchants' Association of New York, favoring a tariff commission—to the Committee on Ways and Means.

Also, petition of Rodman Wanamaker, for a statue of the American Indian to be erected on Lafayette Island, in the Narrows of New York Harbor—to the Committee on the Library.

By Mr. DAWSON: Petition of R. S. Huston and 23 other citizens of Marengo, Iowa, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Charles Walls and 15 other citizens of Clinton, Iowa, for a downward revision of the tariff—to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Petitions of B. Ezra Herr and others, A. B. Hess and others, and New England Tobacco Growers' Association, against free tobacco and cigars from the Philippines—to the Committee on Ways and Means.

Also, petition of the Commercial Exchange of Philadelphia, favoring reciprocity in trade with Canada—to the Committee on Ways and Means.

Also, petition of National Association of Manufacturers, favoring a tariff board of revision—to the Committee on Ways and Means.

Also, petition of Merchants' Association of New York, favoring a permanent tariff commission—to the Committee on Ways and Means.

Also, petitions of New England Shoe and Leather Association and of the Endicott Johnson Company, for free hides—to the Committee on Ways and Means.

Also, petition of O. J. Glenn & Son, of Buffalo, N. Y., for removal of the duty on oats and hay—to the Committee on Ways and Means.

Also, petition of the Buffalo Volksfreund Printing Company, against any increase of duty on pulp and print paper—to the Committee on Ways and Means.

By Mr. FORNES: Petition of National Association of Hosiery and Underwear Manufacturers, favoring the House rate on hosiery—to the Committee on Ways and Means.

Also, petition of the Peck, Stowe & Wilcox Company, of New York, against the corporation-tax amendment to H. R. 1438—to the Committee on Ways and Means.

Also, petition of William M. Eisen Company, against removal of duty on surgical instruments—to the Committee on Ways and Means.

Also, petitions of J. H. Roszbach & Bros. and Rice & Hutchins' specialty house, for free hides—to the Committee on Ways and Means.

Also, petition of American Newspaper Publishers' Association, against increase of duty of Payne bill on print paper—to the Committee on Ways and Means.

Also, petition of Harry W. Bell, favoring free gypsum—to the Committee on Ways and Means.

Also, petition of Scandinavian Canadian Land Company, favoring periodical reductions of the tariff by 5 per cent—to the Committee on Ways and Means.

Also, petition of Endicott Johnson Company, for free hides—to the Committee on Ways and Means.

Also, petition of the Nassau Bank, against the corporation-tax amendment (H. R. 1438)—to the Committee on Ways and Means.

Also, petition of Clarence W. Smith, favoring a statue of a native Indian for Fort Lafayette Island, in the Narrows of New York Harbor—to the Committee on the Library.

By Mr. FULLER: Petition of Skandia Furniture Company, of Rockford, Ill., relative to proposed tariff change and against corporation amendment, etc.—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of Austin, Nichols & Co., against raise of duty on sweetened biscuit—to the Committee on Ways and Means.

Also, petition of J. Keiber, jr., for a fair protection on lithographic products—to the Committee on Ways and Means.

Also, petition of Rodman Wanamaker, for a statue of the American Indian to be erected on Lafayette Island, New York Narrows—to the Committee on the Library.

Also, petition of Post-Card Manufacturers and Allied Trades' Protective Association, favoring a higher duty on post cards and kindred productions—to the Committee on Ways and Means.

Also, petition of National Association of Hosiery and Underwear Manufacturers, for House rates on hosiery—to the Committee on Ways and Means.

Also, petition of Milton E. Oppenheimer, against a high duty on diamonds—to the Committee on Ways and Means.

Also, petition of National Lace and Embroidery Company, against increase of duty on laces, etc.—to the Committee on Ways and Means.

Also, petition of Carded Woolen Manufacturers' Association, favoring an ad valorem duty on wool—to the Committee on Ways and Means.

Also, petition of Flandrau & Co., of New York, against raise of tariff on automobiles—to the Committee on Ways and Means.

Also, petition of the adjutant-general of New York State, favoring S. 1691, providing for expenses of encampment of the organized militia—to the Committee on Militia.

Also, petition of Lake Region Waterways Association, for appropriation to improve the Acklawaha River—to the Committee on Rivers and Harbors.

Also, petition of presidents and ex-presidents of the United Societies of Philadelphia for Relief and Protection of Immigrants, against \$10 tax on immigrants—to the Committee on Immigration and Naturalization.

By Mr. LINDBERGH: Petition of business men of Elk River, Minn., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. RICHARDSON: Paper to accompany bill for relief of Robert Whittaker—to the Committee on Invalid Pensions.

Also, petition of Winona Council, No. 3, Junior Order of United American Mechanics, of Decatur, Ala., relative to the difficulty in providing an intelligent and practicable plan by which to regulate and restrict the landing of unworthy and undesirable immigrants on our shores from foreign countries, and our inability to prescribe and enforce our demands for an investigation of the character and record of each immigrant who desires to secure passage on a ship to the United States. The best way is not to let any vessel from a foreign port have clearance papers into a port of ours unless it can show a strict compliance with every rule prescribed for the transportation of foreigners to our shores—to the Committee on Immigration and Naturalization.

By Mr. SABATH: Petition of New York Mercantile Exchange, for a moderate tariff on butter, cheese, and eggs—to the Committee on Ways and Means.

By Mr. SHEFFIELD: Petition of Providence Board of Trade, against the corporation-tax amendment to the tariff bill (H. R. 1438)—to the Committee on Ways and Means.

By Mr. KNAPP: Paper to accompany bill for relief of Jacob Fass—to the Committee on Military Affairs.

By Mr. WATKINS: Paper to accompany bill for relief of W. J. Hughes—to the Committee on War Claims.

SENATE.

MONDAY, July 26, 1909.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of the proceedings of Friday last was read and approved.

CLAIMS OF KENTUCKY SOLDIERS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 2d instant, a letter from the Adjutant-General of the Army submitting a tabulated statement of facts and orders relating to the history of the drafts in the State of Kentucky during the civil war, together with the facts and orders relating thereto and the number of men actually credited to the State and to each county of the State at the time of the drafts, etc. (S. Doc. No. 142), which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Rudolph Minton v. United States (S. Doc. No. 141), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

THE MARINE CORPS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting estimates of deficiencies in the appropriations for provisions, Marine Corps, 1909, \$50,000; fuel, Marine Corps, 1909, \$5,000 (S. Doc. No. 138), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

J. M. CEBALLOS & CO.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting the judgment rendered by the Court of Claims on the mandate of the Supreme Court of the United States in the cause of J. M. Ceballos & Co., \$205,614.37, etc. (S. Doc. No. 137), which was referred to the Committee on Appropriations and ordered to be printed.

FOREIGN TRADE RELATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a